

THE GOVERNMENT OF VICHY

By

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MAÎTRE DE REQUÊTES AU CONSEIL D'ETAT



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PART I

THE FRAMEWORK OF THE NATIONAL REVOLUTION

SECTION I

FRANCE ON JUNE 25, 1940

To examine the work of the 'National Revolution' means taking the situation of France on June 25, 1940, on the morrow of the signing of the second of the armistice conventions, and studying what has since been effected in the different spheres of action.

By this procedure we cannot fail to reach the conclusion that the external as well as the internal policy of the Vichy Government has been dictated by events. The armistices had not been intended to govern a durable situation; when they were signed it seemed unlikely that the resistance of the British Empire, betrayed by France, could be prolonged for more than a few weeks. Failing a probable inconclusive peace of stalemate, there could be no doubt of a British defeat.

Literally interpreted and applied, the terms of the armistices could not allow France to live. She was therefore obliged to enter upon the path of collaboration in order to obtain certain indispensable modifications.

Furthermore, the aggravation of the food situation and of unemployment perforce impelled France towards an increasing State control and a strengthening of the powers of the State in all departments.

Finally, the huge payments exacted in the guise of the costs of the army of occupation involved recourse to inflation and the consequent frantic regulation of exchange rates and prices upon which the Vichy Government has embarked.

In its broad lines, therefore, apart from the methods of its application, Marshal Pétain's policy could not be other than it was. And hence there came about an equivocal position which the masters of France have admirably known how to exploit.

Now it is this equivocal position that it is necessary to clear up in the very first lines of this work. To take France on June 25, 1940, is to acknowledge a normal break between the vanished régime and the new. Like every break it is arbitrary, for history is a continuous development. In reality the men of Vichy would

be free from responsibility for their internal and external policy only if they were free from responsibility for the signing and maintaining of the armistice.

Now the men of Vichy are responsible for the armistice. They are the very last persons who should be allowed to plead the unavoidable consequences of that armistice as an excuse for their present policy of betrayal and surrender.

Chapter I

WHY THE ARMISTICE?

IT was not by to-day's open collaboration with Germany that the Vichy dictators began their betrayal of France; they betrayed her on the day they signed a dishonouring and monstrous armistice. If they had not subsequently persisted in a policy that was a hopeless blind alley they might even yet have repaired this initial mistake. They had no desire to do so.

I. The Official Justification for the Armistice

It was Pétain and his military collaborators, Weygand, Darlan, Pujo, and Colson, who after a tragic debate in the Conseil des Ministres caused the Bordeaux Government to reject by a majority of a single vote the proposal for complete Franco-British union and accept a settlement by armistice. It is they who are responsible, along with Laval, who was working in the background, for the fact that the Government of France, alone among the Governments of defeated Allied nations, treated with the enemy instead of continuing the struggle from abroad.

In that hour they deceived France.

They deceived her because they made her believe that the struggle was henceforth hopeless and that French unity could not be safeguarded by maintaining a metropolitan Government in being.

1. THE IMPOSSIBILITY OF THE STRUGGLE

"You were ready," cried Marshal Pétain in his appeal of June 25, 1940,

to continue the fight, and that I knew. The war was lost in the home country. Ought we to prolong it in our colonies? I should be unworthy to remain your leader if I had consented to the shedding of French blood in order to prolong *the dreams of a few Frenchmen who know nothing of the conditions of the struggle*. I had no mind to place my hopes nor my own person outside the soil of France.

A year and a half after the day on which the French Navy and Air Force, the Army of the Levant and the Army of North Africa, and all the inexhaustible resources of the French Empire were no longer supposed, in association with the British Empire, to be in

Chapier I

WHY THE ARMISTICE?

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A year and a half after the day on which the French Navy and Air Force, the Army of the Levant and the Army of North Africa, and all the inexhaustible resources of the French Empire were no longer supposed, in association with the British Empire, to be in

a position to resist, the British Empire alone by itself is still resisting. In spite of the desertion of the French Navy Britain has held the supremacy of the Mediterranean; in spite of the desertion of the French armies and air squadrons she has conquered the greater part of the Italian Empire. Her very defeats are no more than incidents, unfortunate but not decisive. And, on the one hand, the ever-increasing material aid from the United States, underlined in the Roosevelt-Churchill declaration of August 14, 1941, and, on the other hand, the entry of Russia into the war, gives her to-day the certainty of a final decision in which official France, the France of Vichy, will have no part.

If we figure to ourselves now the additional force that would have been provided by France's continuing in the fight, there can be no doubt that the capitulation of Marshal Pétain and his collaborators succeeded merely in prolonging the duration of the conflict without altering its inevitable end.

And what did they gain? The French ports and aerodromes that serve as bases for the enemy are bombed as they would have been if France had not been forsaken. The metropolitan territory, now reduced to living on its own resources diminished by enemy requisitioning, suffers from hunger and distress perhaps even more bitterly than it would have if France had held to her word. French currency, employed by the enemy, loses some of its value day by day.

2. THE PRESERVATION OF UNITY

And so? The great argument developed by Marshal Pétain in the message of June 25, 1940, which we have been quoting, was the need for preserving the unity of the country.

In face of such an ordeal armed resistance was forced to come to an end. The Government was faced with one of two decisions: either to remain where they were, or to go over sea. After mature deliberation it determined to remain in France *to maintain the unity of our people* and to represent them before the enemy.

What has become of this unity? Metropolitan France is cut off from her colonies, which, when they have not joined the movement of General de Gaulle, must needs develop their autonomy and each carry out a policy of its own. Metropolitan France is chopped into pieces—one part attached to Germany, another to Belgium, an occupied zone, and the so-called 'free' zone. Two policies, two Presses, two broadcasting systems, confront each other from Vichy and Paris. France is disjointed, and the French people are disunited.

II. Who was to profit by the Armistice?

The truth is thus far removed from the pretexts that are officially put forward.

And in the first place we must show the falsity of the theory according to which, if the armistice was not the only possible solution, it was at all events the least unfavourable solution that France could accept. This is the theory upheld by Admiral Darlan.

Bear in mind this fact that certain Frenchmen forget. France has sustained the greatest defeat in all her history, three-fifths of her territory are occupied, a million and a half of our men are prisoners. . . . In June 1940 the conqueror could have refused the armistice, he could have crushed us and deleted France from the map of the world. This he did not do. In May 1941 the conqueror has consented to negotiate with the French Government.¹

France ought then, if we are to believe the men of Vichy, to be grateful to Germany for consenting to sign an armistice!

Let us, however, see how the problem in reality presented itself, apart from any consideration of the moral or written obligations France might have contracted towards her British ally. Who was meant to profit, and who did profit, by the armistice?

Was it France? We saw above that it was incapable of safeguarding France's unity; indeed, that the very opposite was the case. It checked the shedding of blood only to a very limited extent, since in this war the civilian population is involved as much as the armies, and the bombing of the French ports has continued. In point of fact, all the armistice provided was the non-occupation of two-fifths of the territory of France, precisely the part that was the poorest industrially and of no great interest to the Reich. On the other side the armistice is at the bottom of the terrible food and economic crises in which France is struggling. So that, in short, the material disadvantages of the armistice for France were out of all proportion to any benefits she could possibly derive from it.

Thus only the Reich was to benefit from the armistice. This can easily be proved in a few sentences. In the mind of the Nazi leaders the defection of France in mid-battle was bound automatically to bring about the surrender of England, now isolated and without an army. At the very least, the armistice must prevent what would have happened if the French Government had transferred its seat outside the home country and had—like all the other Allied Governments—continued the struggle: the full employment of the inexhaustible resources of the Empire, of

¹ Broadcast address of May 23, 1941.

the French merchant navy, of the two intact armies concentrated in Northern Africa and in the Levant. And above all the armistice made it impossible for the French fleet to continue to ensure the policing of the Mediterranean and collaborate in the defence of Great Britain by sharing in the protection of convoys in the Atlantic.

For Germany, then, the signing of an armistice with France was not, as Darlan pretends, an act of generosity, but a piece of astuteness. For Germany it was equivalent to the winning of many battles by land and sea.

To France the armistice gave practically nothing.

III. The Political Reasons for the Armistice

i. THE MURDER OF THE REPUBLIC

In reality the armistice was not signed because it was the least unfavourable solution for France.

Those who took the responsibility upon themselves believed that the stab in the back they were administering to Great Britain would force her to give up the struggle. They were turning a reparable military reverse into a complete and final defeat of the Allies.

Now this defeat was indispensable for the achievement of their calculated plans. The enemies of the Third Republic, the enemies of democratic institutions, could overthrow both only through defeat.

Why so? it will be asked. Because a revolution can succeed only under cover of a grave crisis, because a revolution does not come about in an era of prosperity—the whole of history offers proof of this—and because both morally and materially all the circumstances were eminently favourable. Morally the existing order was to be held responsible for an unprecedented disaster. Materially the break-up of all institutions, the dissipation of Parliament, the dispersal of all the groups that might have opposed a *coup d'état*, facilitated the enterprise to a singular extent. When the country recovered itself it would be too late for it to react, the new rulers would have procured the necessary means of action and repression.

Furthermore, the presence of the German Army in the greater part of the territory, the menace of its intervention in the unoccupied part, was bound to be opposed to any manifestation of popular feeling. The *coup d'état* would thus be covered by the protection of the enemy.

For those persons who had long premeditated the murder of

the *régime*, to lose this opportunity would have been to lose their one chance. They knew that if Germany was conquered it would be the existing *régime* that would benefit by the victory—it would have been consolidated and established beyond possible overthrow. And that is what they desired at all costs to avoid.

And the danger seemed to them still more obvious when the Government, which had now fled to Bordeaux, was in possession of the proposal for a complete Franco-British union, a union resting on the fusion of the democratic institutions of the two great European Powers. From that moment there could be no doubt that an Allied victory would firmly establish a *régime* they detested. By her offer Great Britain made France's desertion a certainty.

The men who have ranged themselves with General de Gaulle are not all—indeed, far from all of them—supporters of the Parliamentary system as it was in France before the war. Most of them are, on the contrary, convinced of the need for profound structural reforms in it. But their love of France takes precedence even of their dissatisfaction with the *régime*. With the men of Vichy their hatred for the *régime* silenced their love for France.

2. THE MURDERERS

Again, in this connexion also it will be said that this is mere supposition, that nothing allows us to accept the stroke as premeditated. And, indeed, no material proof can be adduced to-day—the proofs are screened away in Vichy. The fact is nevertheless morally certain.

Is Philippe Pétain, Marshal of France, defender of Verdun, conqueror of Abd-el-Krim—is he himself a traitor? Everything points to it. But we still are loath to believe it, and prefer to attribute his attitude to the weakness of old age added to the natural pessimism which—if we are to credit Poincaré's memoirs—all but brought him, three times at least, during the years 1917–18 to accept defeat as accomplished.

Pétain may have the benefit of the doubt, thanks to Montigny's book on the armistice period. If we may believe this book, which tries to be a panegyric on Pierre Laval but is actually a terrible indictment, the *deus ex machina* of the whole Bordeaux transaction was Laval; Pétain was merely an unconscious puppet in his hands. Perhaps after all he did not take advantage of his sojourn as Ambassador at Madrid to have the conversations that have been ascribed to him; perhaps Señor de Lequerica was not the intermediary, at the instigation of the Marshal, between conquerors and conquered to ensure the setting up of the dictatorship.

And yet it is hard to forget all Pétain's political activities, his active collaboration with the Doumergue Cabinet, that second essay at dictatorship—Millerand's being the first—after the disturbances of February 6. It is hard to forget Gustave Hervé's book. It is hard to forget Pétain's friendly relations with all the great employers and reactionaries in France who were determined to overthrow the régime. And it is particularly hard to ignore the documents put before us by Anatole de Monzie's book *Ci-devant*, published in France by Flammarion in June 1941, with the permission of the Vichy censorship.

On March 30, 1940, six weeks before the invasion of Belgium and the Low Countries, Marshal Pétain, Ambassador of France in Spain, went to Monzie at the Ministry of Public Works.

The Marshal is hesitating about going back to Madrid: he is thinking of a divided existence—a fortnight at Saint-Sebastian, a fortnight in Paris. I respectfully oppose this plan on account of the fatigue it would mean and because such divided efforts would be ineffective. And yet it would be well that the Spanish mission should not be too prolonged: the presence of our greatest soldier becomes more and more necessary to France. We talk over an internal situation that since the business of Finland has been burdened with uncertainty and lassitude. The Marshal rose up and said to me, "*They will need me in the second fortnight in May.*"¹ "They" were the war leaders, both civilians and soldiers.

On May 3, 1940, a week before the start of the German offensive, Monzie meets Pétain again: "This morning I saw Marshal Pétain, graver and more gloomy than usual. He knows more than I do. We exchange dismal forecasts." Then came the catastrophe, and on May 28 Monzie notes the "prodigious and marvellous serenity of the Marshal," who nevertheless no longer has "any doubt as to the outcome."

We shall leave the reader to draw from these facts whatever deductions he may think the most probable.

That Pétain's military collaborators should have allowed themselves to be influenced by another motive than the desire to overthrow the régime is also possible. To cover up the immediate responsibilities for defeat, which even if more remote responsibilities of another kind could be sought out were purely military, they may have thought it the shrewdest plan to get power into their own hands. No one serves us so well as ourselves. For the responsibilities of the High Command are overwhelming. Never was a single credit refused for the Army. Yet the Maginot Line was not protected by a single switch; there were no tanks,

¹ P. 207.

there was no anti-tank material. No heed had been paid to the lessons of Poland. And the headquarters staffs, which instead of remaining military-minded organizations had become groups of bureaucrats, incapable of working under air bombardments that seemed to them contrary to all the rules, surprised by tactics they had been incapable of anticipating, were paralysed from the outset by a spirit of defeat. Perhaps all this was what the generals who voted for the armistice desired to cover up.

But that is the last concession we can possibly make. If Pétain and the soldiers were not actually responsible for originating the political operation they were tools or puppets of the men who planned it. To realize this it suffices to see who are the men who governed from the outset under Pétain's name.

The two pivots of the Pétain dictatorship were Laval and Alibert; Laval, the man of no party or of all parties, who two months before the campaign of France opened, in the very middle of the period of universal well-being, was already profuse in pessimistic phrases; Alibert, the monarchy man, who for months continued to expound plans for a constitution singularly close to that which the Vichy Government was to set up, singularly close also to that which in 1936 Gustave Hervé described in his pamphlet *We Need Pétain*.

The first acted from motives of personal ambition, the second from political passion. And, in any case, neither of them in the interests of France.

These two men found a pair of ready-made assistants in de Brinon, the man of the 'France-Allemagne' committee, who was put under preventive detention during the war, and Baudoin, the agent of Ciano and Mussolini.

As for the policy followed—as this whole study will demonstrate—it had no other object and aim save to place the control and management of the country in the hands of the great 'bosses' by divine right—the Comité des Forges and the other money powers. Pétain's speech of August 12, 1941, sought to show that all this was not his intention; none the less he covered with his authority all the measures adopted to this end.

This association between Laval, Alibert, and the trusts cannot be the result of mere chance, nor can it have been improvised at a moment's notice.

As M. Dejean, the Commissaire National aux Affaires Étrangères de la France Libre, reminded his hearers in a broadcast address:

France is looking on at one of the most tragic spectacles possible to contemplate—the systematic exploitation of a national hero in opposition to the true interests of the nation. This exploitation, which is the essence of the Vichy system, began openly on June 10,

when the reverses in the field forced the French Government to leave Paris. It had been prepared long before. One of the most painful phenomena of this war has been the sense of hidden activities wholly directed towards defeat, a sort of time bargain gambling over the misfortunes of France, a kind of plot meant to explode directly the country was reeling under the shock of arms. The conspirators were recruited from among the most incongruous elements—the remnants of the Cagoule, readers of the *Action Française*, minions of Doriot, Catholics holding that nothing can justify the shedding of blood, bankers who by some strange aberration saw in Hitler the guardian of the money-bags, communists of every hue seduced by the affinities between Bolshevism and National Socialism, hardened partisans of Italy, members of the Société Franco-Allemande, discredited politicians tormented by the thirst for power. Between all these divers individuals there was one single common link—an odd yearning after despotism and slavery. From this strange world, in which Laval manœuvred around like some foul monster in a slimy marsh, mysterious threads went out in every direction towards the centres of Nazi and Fascist propaganda, towards the Banque Worms and the Bank of Indo-China, towards Ministries where incorrigible trouble-mongers were in the saddle, towards a certain embassy whose head dreamed of endowing his own country with institutions to match those he had under his eyes.¹

¹ London broadcast, April 8, 1941.

Chapter II

THE ARMISTICES

FRANCE signed two treaties of armistice, one at Rethondes, on June 22, 1940, with the Reich, the other at Rome, on June 24, with Italy; the clauses of essential importance for France are those contained in the first of these documents.

As the Vichy Government has for a long time repeatedly declared its intention to respect the clauses of the armistices, but not to go beyond them, it is not without interest to make a brief analysis of the obligations they impose on Vichy, and especially those imposed by the German armistice.

Meanwhile it is proper to call attention at the outset to the provisional and temporary character of the armistice conventions in the minds of the negotiators. This will to a very great degree explain the way in which the letter of the terms has been strained in their practical application.

I. Provisional Character of the Armistices

On the date of the signing of the armistice the whole world was convinced that the war was to all intents and purposes at an end. Great Britain would either sign a '*paix blanche*,' a peace of stalemate, or she would be crushed by force of arms within a few weeks. No one was ignorant of how weak the British Army was, especially after the disaster in Belgium, and the slogan 'England is an island no longer' had made great headway. All who like us at that time responded to General de Gaulle's appeal were persuaded that they were setting out to save France's honour, but that they were about to fight for a cause already lost.

The miracle came later. England showed that she was still an island, and that if she was slow to make up her mind, once her mind was made up she would not budge a foot. Later the United States came to place its inexhaustible industrial resources at the disposal of Great Britain. So that to-day, in spite of momentary set-backs, the strength of the British Empire appears unshaken. More than a year has gone by, which has been used to set up over against the formidable offensive machine of Germany a no less formidable defensive machine. And in a few months more, when the United Kingdom has won the Battle of the Atlantic,

it will in its turn be able to overshadow the Axis with heavy menace.

But these facts must be disregarded if we are to understand the armistices and bring our minds back to the position as it existed at the end of June 1940. We then realize that they were not intended to cover any long period, they were meant only to deal with a purely momentary situation.

Thus Article 3 of the Franco-German armistice indicated that "it is the German Government's intention to reduce to the barest minimum the occupation of the western coast after the cessation of hostilities with England," and authorized the French Government to "choose its seat in the unoccupied zone or even, if it prefers, to transfer it to Paris."

Article 8 provided for the disarming of the French fleet, but the German Government solemnly declared it had "no intention of using the French fleet during the war for its own purposes." Article 12 of the armistice with Italy contained a similar clause.

Article 12 of the German armistice and Article 18 of the Italian provided only for the surrender to the Reich or to Italy of foreign aircraft in unoccupied France, exclusive of French aircraft.

No economic or political, much less military, collaboration was even contemplated.

II. The Franco-German Armistice

I. OCCUPATION

"With a view to the safeguarding of the interests of the German Reich" a part of the French territory is occupied by the German troops. The boundary line runs through Dôle, Chalon sur Saône, Paray-le-Monial, Moulins, Bourges, Vierzon, Mont-de-Marsan, Orthez, St-Jean-Pied-de-Port (Article 2).

"In the occupied regions of France the Reich shall exercise all rights of an occupying Power. The French Government undertakes to facilitate by every means all regulations relating to the exercise of these rights and their operation with the help of the French administration. The French Government will immediately invite all the French authorities and administrative services in the occupied territory to comply with the regulations of the German military authorities, and to collaborate with them in a correct and proper manner" (Article 3).

"The French Government shall proceed to repatriate the population of the occupied territories in conjunction with the competent German services" (Article 16).

"The French Government undertakes to prevent any transfer

of economic assets or stocks from the territory to be occupied by the German troops to non-occupied territory or abroad. No disposal to be made of these valuables and stocks now in occupied territory except in agreement with the Government of the Reich, it being understood that the German Government shall take into consideration the vital needs of the population of the unoccupied territories" (Article 17).

In practice, the greater part of the occupied zone is placed under the authority of the Commandant of the German Military Administration in France (General Streccius, subsequently General von Stuelpnagel). The Vichy Government has a delegate-general in Paris with the rank of ambassador: de Brinon; the German Ambassador in Paris is Otto Abetz.

The departments of the Nord and Pas-de-Calais are under the General Commanding-in-Chief for Belgium and the North of France. The departments of the Haut-Rhin, the Bas-Rhin, and the Moselle have been definitely reincorporated in the Reich (speech of Gauleiter Wagner, March 21, 1941).

The Commandant of the Military Administration in France is assisted by two important departments, one concerned with administration, the other with economic questions. The territory is divided into five regions, the chief towns of which are respectively Paris, Saint-Germain, Angers, Bordeaux, and Dijon. In each prefecture there is established a 'Feldkommandantur' and in each sub-prefecture a 'Kreiskommandantur.'

The French Government appoints the prefects, the mayors, and the municipal councillors, but the German authorities have the right of veto over all decisions, as well as over the application of the laws, and issue such regulations as they may wish.

The French courts continue to sit alongside the German military courts, which deal with all affairs in which Germans are concerned and with acts of sabotage. The French police is duplicated by the Gestapo.

2. THE SEAT OF GOVERNMENT

"The French Government is free to choose its seat in the non-occupied territory, or even, if it so desires, to transfer it to Paris. In the latter event the German Government undertakes to grant all necessary facilities to the Government and its central administrative services, so that it may be enabled to administer both the occupied and non-occupied territories from Paris" (Article 3).

In actual fact all requests of the French Government with a view to its return to Paris have met with a refusal on the part of the Reich, and it has been obliged to content itself with sending an ambassador

there. But numbers of ministerial departments have been re-installed in Paris, which is not calculated to simplify and facilitate the relations between the ministers and their collaborators.

3. MILITARY CLAUSES

It is required that all armed forces shall be demobilized and disarmed, except for "troops necessary for the maintenance of internal order," whose numbers and armament must be fixed by Germany and Italy. Actually the numbers were ultimately fixed at 100,000 men.

All armaments, munitions, and war material must be surrendered (Article 5), except for what may be recognized as necessary for the French Government, and what is placed in store under German or Italian control. The manufacture of all new war material in the non-occupied zone was to cease immediately (Article 6).

All fortifications in the occupied zone, with their plans, to be surrendered to Germany (Article 7).

4. NAVAL CLAUSES

"The French naval forces, except that part which is left at the disposal of the French Government for the safeguarding of its interests in its Colonial Empire, will be collected in ports to be indicated, and are to be demobilized and disarmed under the control of Germany or Italy as the case may be" (Article 8).

"All information with regard to minefields must be furnished to Germany" (Article 9).

In fact, subsequent to the Mers-el-Kebir incident Germany waived the disarmament of the French fleet. But one part was disarmed by the British at Alexandria, another part destroyed at Mers-el-Kebir or at Dakar, and yet another part passed into the control of the Free French Forces.

5. TRANSPORT AND PLANTS

Until further orders French merchant ships are forbidden to leave port (Article 11). Actually this prohibition was rescinded as early as July for trade with the French colonies and South America.

All aeroplanes in French territory are forbidden to take off without previous authorization. All aerodromes in the non-occupied zone are placed under German or Italian control, and they must be made unusable on demand.

In the occupied territories all military establishments and stocks

must be surrendered intact. The French Government must see that no damage is done to ports, industrial enterprises, means of communication, telegraph or telephone systems, etc. In the occupied zone there must be restored a quantity of rolling stock "corresponding to the normal conditions of peace-time" (Article 13).

Wireless transmitting stations may not resume broadcasting unless authorized by the Reich (Article 14). In fact, from July 4 resumption under the responsibility of the French Government was authorized (*New York Times*, July 5, 1940).

Finally, the French Government "undertakes to carry out the transportation of merchandise between the German Reich and Italy through the unoccupied territory as may be required by the German Government" (Article 16).

6. FINANCIAL CLAUSES

"The cost of maintaining the German occupying troops in French territory shall be a charge upon the French Government" (Article 18). In fact, since the Reich does not content itself with maintaining troops of occupation, but maintains also invasion troops on French soil, the French Government finds itself called upon to defray the cost of both, and even, it would seem, more; under this head it is paying 400 millions of francs a day.

Any destruction, damage, or diversion in relation to objects or valuables whose surrender to Germany or upkeep in good condition was provided for by the terms of the armistice is to entail the payment of damages (Article 21).

7. THE ARMISTICE COMMISSIONS

The rôle of the Armistice Commission is laid down by Article 22: "A German Armistice Commission, acting under the orders of the German High Command, will regulate and supervise the execution of the Armistice Convention. . . . The French Government will establish at the seat of the German Armistice Commission a delegation whose duty shall be to represent French interests and to receive the orders of the German Armistice Commission."

The activities of the Commission have allowed the Germans to infiltrate everywhere into the unoccupied zone to supervise demobilization, disarmament, the returns of stocks, the traffic of aerodromes, etc. etc.

8. THE PRISONERS

It is laid down that all German prisoners of war must be surrendered to Germany as well as "German nationals indicated

by the Government of the Reich who may be in France, or in French possessions, or the colonies, or territories under mandate, or protectorates" (Article 19).

French prisoners of war, on the contrary, must remain prisoners "until the end of the war" (Article 20).

9. THE FREE FRENCH

The first article of the Armistice Convention anticipates the end of hostilities.

Article 10 follows upon it with provisions that are in fact essentially aimed against the Free French: "The French Government binds itself for the future to undertake no hostile action against the Reich with any part of its remaining forces, nor in any other manner. The French Government will likewise prevent the members of the French armed forces from leaving French territory and will see that neither arms nor equipment of any kind, nor vessels, aircraft, etc., are transferred to England or abroad. The French Government will forbid French nationals to fight against Germany in the service of states with which Germany is still at war. French nationals who disobey this rule will be treated as *francs-tireurs* by the German troops."

III. The Franco-Italian Armistice

The Franco-Italian armistice is very closely analogous to the Franco-German. If the actual wording is for the most part different the meaning of the conditions is identically the same.

The following table may be drawn up to display the points of agreement:

Article	1 of the German armistice	=	Article	1 of the Italian armistice.
" 2	" "	=	" 2	"
" 4	" "	=	" 9	"
" 5	" "	=	" 10	"
" 6	" "	=	" 11	"
" 8	" "	=	" 12	"
" 9	" "	=	" 13	"
" 10	" "	=	" 14 and 15	"
" 11	" "	=	" 16 and 17	"
" 12	" "	=	" 18	"
" 14	" "	=	" 19	"
" 15	" "	=	" 20	"
" 19	" "	=	" 21	"
" 21	" "	=	" 22	"
" 22	" "	=	" 23 and 24	"
" 23	" "	=	" 25	"

Articles 3 (administration of the occupied zone), 7 (fortifications and installations in the occupied zone), 13 (plants in the occupied

zone), 16 (refugees), 17 (exchanges between the two zones), 18 (costs of occupation), and 20 (French prisoners) of the Franco-Italian armistice have no equivalents in the Franco-Italian armistice.

Articles 3, 4, 5, 6, 7, and 8 (demilitarized zones) of the Franco-German armistice have no equivalents in the Franco-German armistice.

We shall confine ourselves here to analysing Articles 3-8 and the essential variations in the other articles.

1. DEMILITARIZED ZONES

The occupation by the Italian Army of French territory practically does not count, as Article 2 provided only for the occupation of the zone lying between the frontier and the lines reached by the Italian troops on the date of the armistice.

On the other hand France must demilitarize:

- (a) A zone of 50 kilometres in depth starting from the line reached by the Italian troops (Article 3).
- (b) A zone on the frontier between Tunisia and Libya (Article 3).
- (c) A zone of 200 kilometres on the frontier between Libya and Algeria or French West Africa (Article 3).
- (d) French Somaliland.
- (e) The fortresses and naval bases of Toulon, Bizerta, Ajaccio, and Oran (Mers-el-Kebir) (Article 6).

The conditions of demilitarization are supervised by an Armistice Commission (Article 8).

In the demilitarized zones and fortresses the French civil authorities and the police forces necessary for the preservation of order continue in office; also certain district and naval authorities (Article 7).

2. MILITARY CLAUSES

The numbers of troops necessary for the maintenance of order in the territories of Northern Africa, Syria, and in French Somaliland are to be determined by the Armistice Commission with due consideration for the "particular importance of maintaining order in the said territories" (Article 9).

3. THE PRISONERS

No clause of the armistice relates to French prisoners in Italy.

Neither does any clause refer to the surrender to the Italian Government of Italian political refugees.

4. THE FREE FRENCH

Article 14, corresponding to Article 10 of the Franco-German armistice, is drafted as follows:

"The French Government besides binding itself not to undertake in any place whatever any form whatever of hostilities against Italy, binds itself to prevent the members of its armed forces and French citizens in general from leaving the national territory to take part in any manner in hostilities against Italy. The Italian troops will apply to those who transgress this regulation, and to French citizens previously living abroad who may collectively or individually undertake hostile action against Italy, the treatment reserved for unrecognized combatants."

The difference in wording between the two Armistice Conventions is explained by the difference in their dates—June 22 and June 24; the creation of an independent De Gaulloist body having taken place in the meantime. The German armistice has in view only Frenchmen who might fight "in the service of states with which Germany is still at war," while the Italian armistice aims at Frenchmen undertaking "collectively or individually hostile action against Italy," which is much wider.

IV. What the Armistices Signify

In his appeal of June 25, 1940, after explaining the reasons that had brought him to treat with the enemy rather than continue the struggle from abroad, Marshal Pétain set out the balance-sheet of the armistices:

The conditions we were obliged to sign are severe.

A great part of our territory has been temporarily occupied. Germany will garrison the whole of the North and West of our country, from the Lake of Geneva to Tours, and along the coast from Tours to the Pyrenees.

Our armies must be demobilized; our war material surrendered to the enemy, our fortifications razed, our fleet disarmed in our harbours. In the Mediterranean our naval bases will be demilitarized. But at least our honour is saved. No one will use our aeroplanes or our fleet. We retain the land and sea effectives necessary to preserve order at home and in our colonies. The Government remains free, France will be administered only by Frenchmen.

This balance-sheet, severe as it was, was still a fraudulent one. Either Marshal Pétain was deceived by his contracting partners, or he wished to deceive the country. It is impossible to escape from this dilemma. The juxtaposition of the two sentences, "Germany will garrison . . ." and "the Government remains free, France will be administered only by Frenchmen," leaves no

room for misunderstanding: German troops will be stationed in a part of France, but German authority will not be substituted for French.

Now Germany was not to be satisfied with 'garrisoning.' She subjected to her *visa* the exercise by the French Government of its power to issue laws and regulations in the occupied zone, and herself exercised power to issue regulations. She has indeed maintained the French officials in the greater part of the occupied zone, but has brought them under her control. And she has in fact joined Alsace and Lorraine to her own territory. Of the line of demarcation she has made an actual frontier, not a simple indication of the points her troops were not to go beyond.

Did Pétain know all this when he signed the armistice? The clauses providing that Germany should exercise the rights of an occupying Power and that nothing should be allowed to leave the occupied zone without her authorization make it impossible to doubt it. Accordingly, he knowingly deceived the people of France. Unless indeed the practical scope of such stipulations was revealed to him only in the sequel. In that case he was deceived. But a Government with full absolute powers has no right to be mistaken.

Events have proved how well founded were the fears of Mr Churchill when he declared on June 22:

His Majesty's Government have heard with grief and amazement that the terms dictated by the Germans have been accepted by the French Government at Bordeaux. They cannot feel that such, or similar terms, could have been submitted to by any French Government which possessed freedom, independence, and constitutional authority.

Such terms, if accepted by all Frenchmen, would place not only France, but the French Empire entirely at the mercy and in the power of the German and Italian Dictators. Not only would the French people be held down and forced to work against their ally, not only would the soil of France be used with the approval of the Bordeaux Government as the means of attacking their ally, but the whole resources of the French Empire and of the French Navy would speedily pass into the hands of the adversary for the fulfilment of his purpose.

Of these apprehensions only one has not yet been realized: the employment of the French fleet by the Axis Powers. And this is what these Powers, after letting loose a civil war between Frenchmen in Syria, are striving to-day to secure. The most important of the German demands in December 1941 relates to the use of French warships to convoy German or Italian troopships and cargo steamers.

Chapter III

FRANCE ON JUNE 25, 1940

ON the morrow of the signing of the Armistice Conventions Marshal Pétain was confronted with a complete military, political, and social collapse, and a grave economic situation. This situation places serious obstacles in his path, but at the same time ensures him invaluable advantages.

Let us define the value of these various elements.

I. The Collapse of Institutions

The collapse of all institutions and the dislocation of all organizations on the date of the armistice are incontestable facts.

I. THE MILITARY COLLAPSE

The French Army dissipated like smoke immediately upon the making of the armistice.

The number of killed and wounded was comparatively small, considering the enormous masses of men engaged in the operations, but the number of missing was very large. It was soon to be established that more than 1,800,000 French soldiers, the most vigorous section of the population, were prisoners.

That is not the whole story. The rest of the metropolitan army was broken up.

Totally disordered, left without supplies or provisions, the units disintegrated; individually or in little groups officers and men went scattering up and down throughout France. Many soldiers made their own way to their homes (*Communiqué* of the Secretary of State for War, August 21, 1940); others, desirous of continuing the struggle, took ship for England. Discipline, which according to the old military adage is "the chief strength of armies," was dead.

The armistice, moreover, imposes demobilization on France, and the reduction of her effectives to the numbers necessary to maintain order in her metropolitan territory and her possessions overseas.

The Government now in reality had at its disposal no armed force in the home country. It had no units remaining intact except in North Africa and in the Middle East.

2. THE SOCIAL COLLAPSE

The military forces of France were not alone in being dispersed to the four corners of the country. The same thing happened to a large section of the civilian population. Panic-stricken by the flood of conflicting and bizarre rumours, by the air bombardments, by the terror of armoured cars and tanks, men, women, and children took to flight helter-skelter in all directions. On foot, in vehicles, on bicycles, they clogged up the roads and made any military operation impossible: on such a road in Brittany the present writer saw two endless columns of refugees moving in opposite directions.

After this exodus nearly four million of the inhabitants of the occupied zone or of Belgium found themselves in the so-called 'free' zone; there were towns whose population had trebled or even quadrupled. This enormous population is homeless and without resources.

Hundreds of thousands of cars abandoned in the ports or on the roads near the Spanish frontier are inanimate witnesses to this flight which is unprecedented in history.

3. POLITICAL AND ADMINISTRATIVE COLLAPSE

As the retreat of the armies proceeded, the public administrations, here burning and there abandoning their archives, 'fell back' towards the South. This withdrawal was carried out in more or less headlong fashion. At the moment of the armistice no one, and the Government least of all, knew any longer where the different Ministerial Offices were.

Many local officials, many mayors, abandoned their posts without permission. A case is quoted of a fire brigade that found itself with all its equipment some hundreds of kilometres from its home starting-point.

Members of Parliament disappeared in very much the same fashion, some following the Government, others embarking for North Africa, others returning to their constituencies. And now they mean nothing to the country, which rightly or wrongly makes them responsible for the position in which it finds itself.

During this time our overseas possessions were in a state of bewilderment, and hesitating as to what attitude they should adopt. Some decided to accept the armistice, others decided to continue the struggle. Communications with the metropolis by wireless or cable were almost wholly interrupted. All was extreme confusion.

From London General de Gaulle preached resistance and invited all Frenchmen who wished to continue the struggle to join him.

II. The Economic Situation

i. THE PRE-WAR POSITION

The kernel of the economic problem which has been set before France at the moment is to be found in the table of her foreign trade before the war. She has always in fact had an adverse trade balance: the annual excess of imports over exports just before the war amounted to about fifteen milliards of francs. The total of imports represented forty-five milliards. In other words, the working of the French economic system was closely linked with the free play of international exchanges.

However, a distinction must be made in this respect between industrial products and food products.

The principal imports fall under the following heads, calculated in francs:

Fuel: 8650 millions (coal 4850 and petroleum 3800 millions respectively).

Textile raw materials: 5650 millions (wool 2700 millions and cotton 2250 millions).

Ores: 1500 millions.

Chemical products and fertilizers: 1300 millions.

Oils and fats: 700 millions.

The principal exports were:

Textile manufactures: 2500 millions.

Iron and steel: 2000 millions.

Wood: 1850 millions.

Fashions and luxury articles: 1150 millions.

Motor-cars: 900 millions.

Thus from the industrial point of view France was dependent on the foreigner for raw materials other than iron. For example, she produced only 6 to 8 per cent. of the wool essential for her textile industry.

The position with regard to food produce was very different. France exported about 900 million francs' worth of wine, and imported about 800 to 900 million francs' worth of coffee, oranges, and lemons. Indo-China provided her with rice and maize. In fact, she should have been practically self-supporting, at any rate for all essential produce: cereals, potatoes, meat, fruit and vegetables, and wines.

In 1938 M. Leroy-Ladurie, to-day a much-respected member of the National Consultative Council at Vichy, estimated that metro-

politan France produced 92·4 per cent. of her necessary consumption, brought in 7·5 per cent. from her overseas possessions, and imported only 0·3 per cent. from foreign countries.

Another calculation shows that France produced 83 per cent. of the necessary calories, while Great Britain for example only produced 25 per cent. of her needs (Report of the Bank of International Settlement, June 1941, p. 21).

The phosphates of Alsace and Morocco again were amply sufficient for her agricultural needs.

Finally, it must be remembered that the railway and road systems of France were the densest in the world, and among the best kept. The railway rolling stock was in excellent condition. French motor works produced private cars or heavy vehicles in more than sufficient quantities.

France, however, depended on foreign imports for the necessary fuel and lubricating oils.

If this rapid sketch of the pre-war situation enables us to understand that France's transition to a closed economic system had the consequence of paralysing her industry and her transport system, it does not enable us on the other hand to perceive even a glimmer of reason for the dearth of food produce.

How did it come about that the war, and subsequently the armistice, altered that position?

2. THE REPERCUSSIONS OF THE CAMPAIGN OF FRANCE

The few weeks of the campaign of France sufficed to bring about grave disturbances in the working of the French economic system.

The first of these disturbances was the direct consequence of the military operations.

In the course of these operations many districts were utterly thrown into confusion, great quantities of cattle and draught animals lost or slaughtered, and very large stocks of agricultural produce as well as industrial products and raw materials were destroyed. The losses in cattle were as much as 30 per cent. and of pigs 70 per cent.

At the same time, and in spite of all the precautions taken by the German General Staff to ensure the safety of the industrial establishments it intended ultimately to use for the needs of the Reich, many factories and mining installations and workshops

and depots of all kinds were destroyed by bombing from the air.

Finally, 2329 road bridges, 4000 kilometres of canals (out of 5200), 200 kilometres of railways, 500 railway bridges or viaducts and 28 tunnels, and 40,000 kilometres of electric wiring for connexions and signals were put out of use.

Another consequence of the military operations was that the armies engaged, both Allied and German, must have requisitioned cattle and foodstuffs on the spot for their own needs.

The French Army, furthermore, in 1939-40 requisitioned about 20 per cent. of the farm horses (Statement of the Secretary of State for Agriculture, *Le Temps*, April 1, 1941).

In the third place, the time of year when the operations were carried on had the effect either of restricting sowings, or of causing neglect of certain crops, as for example sugar-beet, for which only 75 per cent. of the normal area was sown.

Finally, for the first time since the soil of France first served as the battlefield of Europe, military operations were accompanied by a wild stampede of the whole civilian population before the invader.

This transplanting of population, involving millions of French and Belgian individuals, has itself had two grave economic consequences:

- (a) on the one hand, supplies for the refugees had to be organized in districts that possessed neither the proper machinery nor the necessary stocks;
- (b) on the other hand, many industrial and agricultural enterprises were paralysed by the loss of their managers and their workers.

3. THE REPERCUSSIONS OF THE ARMISTICE

Such briefly was the situation of the country on the eve of the armistice. This situation was far from brilliant, but equally far from being desperate. The harvests of 1940, the normal working of imports from foreign countries and the colonies, the resumption of mining activity, should have allowed a fairly rapid recovery.

It was the actual clauses of the armistice—and the Vichy Government will never succeed in its efforts to dispute this—that were at the bottom of the catastrophe that involved the industries and the food situation of France. It was the working of those clauses that

made a situation that ought to have been purely momentary incapable of solution. The results of the blockade only came later and as a consequence of the foreign policy pursued by France.

The chief consequences of the armistice fall under four heads:

- (a) The levies of the German Army deprived France of part of her resources.
- (b) The joining of the northern and eastern regions to Belgium or to the Reich has deprived France of her principal resources in minerals and phosphates.
- (c) The retaining of twelve hundred thousand agricultural workers as prisoners has deprived agriculture of labour.
- (d) The creation of an internal frontier in the shape of a rigid line of demarcation has prevented the country from bringing its total resources into one unified whole.

These different points, which establish beyond dispute the heavy responsibility of those who signed the armistice, demand a few comments.

(a) *The German Levies.* The armistice clauses granting Germany the rights of an occupying Power in two-thirds of our metropolitan territory, and prohibiting the transfer of goods in the occupied zone to the free zone, allowed the Reich to procure in France the goods and provisions necessary to maintain its troops.

These clauses in themselves would have been normal had they not been aggravated by two facts. On the one hand, the Reich did not confine itself to installing in France occupying forces of limited numbers; it organized a complete expeditionary army for the invasion in the first place of Great Britain and then of the Spanish peninsula; from this resulted the considerable increase in the requisitioning necessary for the needs of the troops. On the other hand, the allocation to the troops of high rates of pay by issuing occupation marks, and further the fabulous indemnity of 400 million francs per day, permitted the individual soldiers to engage in reckless purchases.

With regard to provisions, at the beginning of the occupation the troops confined themselves to pillaging stocks and shops or buying goods against occupation marks (issued by the Reichskredit Kasse, which had itself advanced three milliards of Reichmarks to the German Government). Then the *régime* was normalized and a regular system of requisitioning came into force.

It was the regulations drawn up by the military governor

for the occupied territories, dated May 20, 1940, that laid down the principles governing requisitions. A detailed study of these regulations does not fall within the scope of this work, which deals with the legislation of Vichy. We shall only quote, for those who will enjoy the full irony of it, the preamble of its text:

Provisions, raw materials and semi-manufactures are vitally important for economic life in the occupied territories. In view of the enemy blockade, sufficient supplies are not ensured for a long period. Stocks must be husbanded. Economical working and fair distribution must ensure work for all factories. Accordingly it is for the best interests of the occupied territories that all agricultural produce, provisions, raw materials, semi-manufactures, and other products which are scarce or barely sufficient in quantity shall be requisitioned, and that the authorities shall control their consumption or use.

In actual fact the requisitionings were carried out solely in the interest of the German Army and the Reich, and without the least regard for the needs of the population. On September 20, 1940, the French Secretary of State for Industrial Production very clearly made known that it was understood that the army of occupation would levy from the occupied zone only the cereals and part of the meat it needed, and would bring from Germany its supplies of fats and potatoes, but these principles were never respected. Nor did the Reich ever keep its undertaking to feed the French prisoners from German supplies, since the Vichy Government has constantly been obliged to send them consignments of foodstuffs.

In November 1940, however, a German communiqué again definitely stated that the army of occupation would requisition only wheat, straw, and oats, but not sugar nor potatoes nor meat; and again, that German soldiers eating in restaurants would have to give up food tickets like all other customers. But all this is mere sham. On the one hand, it is fully established that the Germans have constantly levied considerable quantities of meat from the Paris markets. On the other hand, the checking of food tickets is an illusion.

Finally, we must remember that even if requisitioning applies only to certain products, the German Army can procure all the rest by purchase, and it is France that bears the cost under the working of the occupation indemnity.

And we know, over and above, that the German and Italian Armistice Commissions execute levies even in the free zone. They retain up to 70 or 80 per cent. of goods landed in the port of Marseilles.

Industrial products are subjected to the same methods of levy. Requisitioning was in particular applied to the whole of the stocks of petrol (at least a million and a half tons) and of coal.

Very large quantities of plant were seized in the factories and taken to Germany.

With regard to transport the problem has also arisen.

Article 13 of the armistice provided that "the French Government will see to it that in the occupied territory there will be available . . . a quantity of railway rolling stock and other means of communication corresponding with normal peace-time conditions."

According to the *Neue Zürcher Zeitung* (November 5, 1940), France before the war was using 450,000 goods wagons, 300,000 in the occupied zone and 150,000 in the unoccupied. The Germans seem, still according to the same paper, to have requisitioned 100,000 wagons, or a third part of the total available for the occupied zone. From other estimates, however, it would appear that only 60,000 wagons remain in the unoccupied zone.

Of 12,000 tank wagons existing before the war for carrying wine there would seem to be only 6000 at the present moment (*Le Petit Journal*, September 30, 1940), and these again allocated to two companies (Law published September 8, 1940).

How far are these figures correct? It is impossible to know. Just as it is impossible to know the number of locomotives requisitioned. The actual fact of the requisitions is definitely certain, and from a declaration of the Secretary of State for Communications it has been possible to ascertain that the wheat problem was aggravated on account of the difficulty of collecting the 50,000 fifteen-ton trucks needed to carry 8 million quintals from the occupied zone into the free zone (*Le Temps*, December 1, 1940).

(b) *The Annexations to the Reich and to Belgium.* But Hitler did not confine himself to requisitioning or purchasing from the French market produce for the most part in the shape of foodstuffs; he also seized the total production of certain commodities. Such was the result, if we even allow that it may not have been the principal object, of the annexing of Alsace and Lorraine to the Reich, of the departments of the Nord and the Pas-de-Calais to the German command at Brussels.

By these annexations Germany deprives the French economic system on the one hand of the Alsatian phosphates necessary for her agriculture, and on the other hand of the iron that was the most important raw material employed by her industry, and the coal that supplied all her factories. Thus in order to make use of her own phosphates, her own iron, her own coal, France must negotiate

international agreements with the Reich. The coal mines of the Nord have worked to capacity throughout the winter of 1940-41, but it was nevertheless the free zone that was obliged to take from the meagre resources of the Saint-Étienne basin the coal needed to let the population of Paris have a mere semblance of heating.

(c) *The Prisoners.* By virtue of the Franco-German armistice the French prisoners must remain in captivity until the end of hostilities.

Now, apart from any sentimental considerations, and even if the Vichy Government is not over-anxious to bring back the prisoners engaged in trade and industry who might swell the numbers of the unemployed, on the other hand there are twelve hundred thousand prisoners missing from agriculture.

From this it follows that already the country districts, which before the war were losing their people to the towns, are suffering to-day from a dreadful shortage of labour, amounting to about 16 per cent., which entails an automatic decrease in agricultural production.

(d) *The Line of Demarcation.* But the real tragedy of France, the most serious consequence of the armistice, is the line of demarcation. This can never be sufficiently emphasized and insisted upon.

Any country that is not wholly industrial nor wholly agricultural can in a crisis, by more or less severe retrenchment, succeed in living on its own resources. And this ought to have been the case with France, in which a happy balance had been established between industry and agriculture.

But every country's economic system is so organized that the whole country benefits from the resources and the production of every single part. And that was even truer of France, where the system of roads and railways was highly developed, than elsewhere. The Paris Halles, in particular, saw the produce of the whole of France coming to them from every quarter. The coal of the North and the potatoes of Brittany were consumed in the South, just as the wine of the South was drunk in the North. It made an indivisible whole. Nothing in those days had justified any attempt to produce at one point in France what could be produced cheaper at another.

In point of fact the resources of what to-day constitutes two separate zones were complementary. We shall here borrow from a document that cannot be considered tendentious, seeing it was published in the occupied zone (*L'Illustration*, March 29, 1941), the following figures relating to the distribution of the principal food products between the two zones in 1938:

—	OCCUPIED ZONE	UNOCCUPIED ZONE
<i>Livestock</i>		
Horses . . .	2,083,480	608,660
Cattle . . .	10,540,840	5,080,840
Sheep . . .	4,038,720	5,833,640
Pigs . . .	3,748,670	3,377,330
<i>Cereals (in quintals)</i>		
Wheat . . .	51,585,000	18,587,000
Barley . . .	7,951,000	2,215,000
Oats . . .	34,255,000	9,210,000
<i>Vegetables (in quintals)</i>		
Potatoes . . .	90,293,000	57,233,000
Beetroot . . .	94,000,000	3,500,000
<i>Other Crops (hectares)</i>		
Arable land . . .	13,204,840	7,098,030
Vines . . .	467,400	1,140,960
Early vegetables . . .	268,480	159,950
Forests . . .	5,613,887	5,140,200

Furthermore, nearly all the mines, the production of cast iron and steel, the most important industries, and the chemical laboratories were in the occupied zone.

And again, for most productions there was an inextricable dovetailing. Thus if the indiarubber industry was seated in the centre, the yarns essential to the manufacture of motor-tires came from the North. The foundries were in the zone now occupied, but the finishing shops were in the free zone. And these examples could be endlessly multiplied.

Directly produce could no longer cross the demarcation line it was not a question of making a single country live as a closed economy, but two countries, and still more serious, countries arbitrarily divided. The problem was almost insoluble.

For us the gravity of the supply situation resulting from these various circumstances is shown by a very small matter. Thanks to the impossibility of obtaining the oil or petrol necessary for the sanctuary lamp in churches, the ecclesiastical authorities were

constrained, not many weeks after the dictator came into power, to permit the use of electricity (*Le Temps*, September 3, 1940).

III. The Marshal's Trump Cards

It would be idle to try to conceal or minimize the gravity of the situation facing Marshal Pétain; if immediate measures had not been taken it would have meant famine and rioting.

But neither should we under-value the trump cards in his hands, trumps that no French Government before him had ever had at its disposal.

I. THE PRESTIGE OF MARSHAL PÉTAIN

Marshal Pétain at the moment of his accession to power already disposed of a first and very strong trump card in the shape of his personal prestige. For all Frenchmen he is the great Soldier, the victor of Verdun, the man who has always set his duty and the interests of France before his own private interests.

Had he not some months earlier accepted the thankless task of representing France in Franco Spain? Had he not just assumed the responsibilities of power at an age when he has a right to rest, and in circumstances as tragic as any in the history of the country? Did he not consent to the supreme sacrifice of his pride by negotiating an armistice with the vanquished of yesterday, the conqueror of to-day?

And this popularity continued to grow, while the position of France became worse and worse. Each tour of the Marshal in the free zone has been the occasion of indescribable manifestations of enthusiasm. Since Boulanger, Clemenceau, and Briand, no one had known such popularity in France.

The crowds eagerly buy busts and portraits of Marshal Pétain, and special arrangements must be made to have them approved for issue by the censorship.

The most curious point, and perhaps the one most significant of the confusion of the French nation, is that as the popularity of General de Gaulle increases the people always join their two names in common homage. Inscriptions chalked on every wall will contain both names; they will come together on every lip. If we look for an explanation of this paradox it may no doubt be found in the fact that General de Gaulle is the symbol of external, and Marshal Pétain of internal, resistance to the enemy.

Be that as it may, it is certain that Marshal Pétain was able, and is still, perhaps, able, to get the people of France to accept measures or reforms they would never have tolerated from anyone else. Faith in Pétain was the dogma of the new régime.

2. DESIRE FOR A GENERAL CLEANING UP

Another element was to work in Marshal Pétain's favour. This was the intense desire felt by France for a purge of all its administration and the leaders at the head of affairs—a desire that was displayed in disaffection towards the parliamentary system or the existing parliament.

The scandal of the *Gazette du Franc*, the Stavisky affair, the Oustric affair, all had shown to what extent the whole fabric was corrupt. Every one felt that something must be done, that a little fresh air must be brought into the stuffy atmosphere.

The economic crisis aggravated by the over-ruthless application of the social legislation of 1936, the disorganization of commercial enterprises by strikes and the occupation of factories, the rise in the cost of living, all had only strengthened this feeling.

The military defeat seemed to have proved the incapacity of the régime.

Hence the country was ready, when Marshal Pétain arrived, to accept and support the most far-reaching structural reforms.

3. THE DISAPPEARANCE OF ALL SUPERVISION

A third trump card in the Marshal's hand is the disappearance of any check upon the actions of the Government. For the first time since 1789 the Government now has no Parliament to face, and the freedom of the Press, freedom of meeting, freedom of opinion, are all extinct.

Marshal Pétain in himself holds all powers; he is at the same time empowered to frame a constitution, to make laws, and to execute them. And he imposes his decisions on the judiciary by creating jurisdictions and procedures, without regard for the principle that laws should not be retrospective in effect. By means of the old *lettres de cachet*, re-established under the name of administrative internment, he can without formalities or guarantees arrest anyone who disagrees with his policy. By virtue of Constitutional Act No. 7 he can put himself in the place of the Courts to pass judgment on all politicians or high officials.

This is the re-establishment of absolute monarchy by divine right.

Thus the Marshal can act freely and act quickly, can ensure the ruthless execution of his decisions, can break all resistance. A survey of the Vichy Press shows that no longer is even the semblance of criticism or aloofness tolerated. Everything the Government does is outside discussion.

4. THE ASSIGNAT PRINTING MACHINE

The fourth trump card held by the Marshal, and not the weakest, is the return to unlimited inflation. The circulation is indeed slightly curtailed by imposing payment by cheque in certain cases, but, in fact, bank notes are rolling out from the presses without stop or stay.

Thus money no longer costs the Government anything, and it can proceed to all the reforms previously held up for financial reasons. It can reduce taxes and increase expenditure. It can create old age pensions, multiply grants and reliefs, lend money, carry out endless public works. It has the omnipotence that wealth confers.

5. THE ABSENCE OF A PROGRAMME

Finally, Marshal Pétain's master trump, paradoxical as it may seem—and hitherto it has not been stressed enough—is the absence of any programme.

Lenin, Mussolini, or Hitler, when they reached power, were no longer free. They were the slaves of their party and of their programme. Pétain, the Chief of the State, is entirely free.

Communism, Fascism, or Hitlerism all had their doctrines, which included a certain reform of the State, of society, and of the economic system. It matters little that Mussolini and Hitler had themselves wrought out these doctrines, since they had become prisoners to them. And everyone knows that nothing is more embarrassing on accession to government than to have to carry out a programme drawn up in Opposition. Members of the Opposition and members of the Government, controversialists with and without responsibility, see the same problems with singularly different eyes.

In June 1940 Pétain had no party and seemed not to belong to any party. He had no programme, no engagements to respect, no promises to keep. He could therefore make decisions solely in the interests of France, with no need to compromise with anyone whomsoever in any matter whatsoever. And that is a source of incalculable strength.

SECTION II

COLLABORATION

Chapter I

FROM RETHONDES TO MONTOIRE

I. Waiting for Death

THE 'capitulaires,' the people responsible for the armistice, still never thought they would be brought to collaborate with Germany against England. In their minds France was merely to play a part of passive complicity, not active. Not that they would have felt any excessive pangs of conscience at acting themselves against the ally they had just betrayed, but because they knew that the French people would rebel against anything of the kind.

But they were so firmly convinced that the capitulation of France must automatically entail England's giving up the struggle that they failed, when signing the armistice, to take any of the elementary precautions that would have enabled France to live in case the struggle should continue in spite of everything. Their conviction was also shared by the leaders of the Axis, who thought it unnecessary to demand that France should surrender her ships or her aeroplanes and give the assistance of her industries, and who undertook to evacuate the Atlantic coast before long and allow the Government to set itself up again in Paris.

The catastrophe—the tragedy for the men of Vichy—was the resistance of Great Britain. This resistance was likely to endanger the whole success of their transactions.

The stocks of foodstuffs and manufactured goods and raw materials were exhausted in a few weeks—those few weeks in which London was to have thrown up the sponge and did not. They saw that there was no more to eat, that the factories were standing still, that the numbers of unemployed were high, and that the armistice contained no clause that allowed them to deal with such a situation.

Against all hope they yet hoped it was no more than a temporary postponing of the decision. With a certain impatience, but with the assurance that it could not be long in coming, they awaited the invasion of England.

And to gain the few extra weeks, or months, they tried to play upon their neutrality in the conflict to obtain from England some slackening of the blockade, and from Germany—within the frame of the armistice—a few additional facilities.

Such was the first phase of the policy of Vichy, which came to an end with the Montoire interview. All along the line it was a failure. England refused to modify a blockade that was one of her essential weapons; Germany refused to grant within the frame of the armistice facilities that failed to have a set-off in concessions going beyond the armistice terms.

During this first phase, therefore, France was obliged to live on herself and exercise a system of stricter and stricter rationing of the few resources still at her disposal.

I. THE IMPOSSIBILITY OF RAISING THE BLOCKADE

For its French signatories one of the essential clauses of the armistice was Article 3, which stipulates that the occupying Power would exercise its rights "with the co-operation of the French administration." This implied the maintaining of a French administration in the occupied zone, the maintenance on behalf of the French Government of the right to legislate for the occupied as well as for the free zone.

"The Government remains free," declared Marshal Pétain on June 25, 1940; "France will be administered only by Frenchmen."

In order that the recasting of institutions, the purpose for which the dictatorship had been set up, could be effective, it was necessary that the Government should be the Government of France, not of a small section of France.

Yet the clause on which the Marshal congratulated himself on June 25 was to become the chief source of the difficulties of the Vichy Government. To administer France did not simply mean to keep the registers of births and deaths and marriages, reorganize family allowances, or alter the regulations for elementary education; it meant ensuring supplies.

Now it is impossible to administer a country and supply its population with necessities when it is occupied by a belligerent, while remaining strictly neutral. Administration implies daily contacts with the occupying authority and daily concessions on both sides. And the problem of supplies involves a still more active collaboration.

In actual fact, the armistice conditions stood in the way of the raising of the blockade for many reasons. We shall here review the chief of these reasons.

(a) *The Administration of the Occupied Zone.* As the occupying

authority has rights of requisitioning for all products, both food-stuffs and others, as well as the right to purchase them direct, all goods sent from the free into the occupied zone are liable to be used by the enemy. And in so far as the enemy did not directly take possession of these products, and so far as they might be reserved for the civilian population, the result would be the same, since the civilian population would have to be supplied with goods to take the place of those levied by the enemy.

On the other hand, produce sent from the free zone, even if it is exclusively used by the civilian population, does in fact ensure the maintenance of workers who, either in factories or in the field, will be working at the production or conversion of produce or goods which will be used wholly or in part by the enemy.

What does it matter, it will be said, provided the occupied zone does not devote itself to turning out any war materials? This is to take a very superficial view of things. Whatever the nature of the products requisitioned by the enemy, the result of the work of the inhabitants of the occupied zone, these products assist his war effort. Every industrial or agricultural worker the fruit of whose labour is acquired by Germany sets free in Germany a worker who in his turn can be detailed for war manufactures.

A fortiori this argument will hold good if the factories of the occupied zone are directly engaged in turning out military materials properly so called: lorries, armoured cars, aeroplanes, motor parts, guns, munitions, etc. . . . And it is quite certain that all the firms in the occupied zone, beginning with those of Citroën and Renault, are to-day working for the enemy.

For a Government administering territory occupied by a belligerent to remain neutral it would have to arrange supplies for that territory solely out of the resources contained in itself.

(b) *The Interdependence of the Zones.* This is not the case with France.

The occupied zone might in the last resort have lived on its own resources in foodstuffs and combustibles. But it rested with the occupying authorities to exhaust these resources so that they could be turned into an instrument of blackmail on the Vichy Government. Which they have done, in particular, by requisitioning almost the whole of the wheat, and then, in the very middle of a bitter winter, by stopping all delivery of coal to the capital. The Government of Vichy, being responsible for supplies, could not without rousing the whole population of the occupied zone against it fail to send them the commodities necessary for their subsistence.

Yet even this played only a secondary part.

If the occupied zone can live on its own resources it is different with the free zone, which is poorly supplied, particularly with

wheat, with cattle, with dairy produce, with potatoes, and with sugar. Hence the Vichy Government is obliged, in order to secure supplies for the free zone, to have recourse to the excess production of the occupied zone. But Article 17 of the armistice forbids any such transfer of produce without the authorization of the Reich. And immediately the Reich will demand, in exchange for what the free zone asks from the occupied zone, the delivery into the occupied zone of surplus produce from the free zone (and in particular of colonial produce and ores).

To avoid this the Vichy Government obviously could have satisfied the needs of the free zone by means of imports from abroad. In the hypothetical case with which we are dealing, with the occupied zone living solely on its own resources, the blockade would have been raised to allow these imports. But another difficulty, this time insoluble, would then have presented itself. Since exportable products, except for wine, are very restricted, almost the whole of the imports would have entailed the transfer of money. As French paper money, thanks to inflation (itself due to the occupation indemnity), is now valueless, the payments would have to be made in gold. France's gold reserves would have been very speedily exhausted at that rate.

(c) *The Maintenance of the Prisoners.* The question of the inter-dependence of the zones is further complicated by that of the maintenance of the prisoners.

According to the laws of war, Germany should provide proper and sufficient food for the 1,800,000 French prisoners. Germany fails to do so, and considerable consignments have to be sent them from the free zone.

Thus by February 22, 1941, besides individual parcels, the Government had already dispatched 240,000 bales of clothes, 3285 tons of ammunition bread, 445 tons of tinned meat, 205 tons of jams and dates, 45 tons of cheese, tobacco, chocolate, and rice, all from the free zone; 960 tons of provisions and clothing from the occupied zone (Communiqué No. 32 of the Prisoners of War Department). Clothing, ammunition bread, and preserved meat continue to be sent, and 300 tons of dates and figs every week (*Figaro*, March 19, 1941).

Hence the Vichy Government by force of circumstances is providing, at least in part, the subsistence of nearly two million men who, as no one denies, are working for the Reich.

(d) *The Tolerance of Britain.* Thus if raw materials destined for peaceful manufactures are allowed to go through, or fertilizers intended only for the free zone, or foodstuffs intended only for the French, every straining of the blockade in the long run helps to strengthen Germany's war effort.

Tragic as it may be for us, Frenchmen living in a foreign country, to know that our families, our children, our friends, may lack bare necessities, that they are enduring hunger or cold, we must in the interests of our country wish that the blockade, far from being slackened, should be still further tightened up. And we know, too, that those people in France who are not in the pay of the enemy rejoice in the scarcity, as they rejoice in the bombings of the Royal Air Force: patriotism is not extinct in France.

Nevertheless Great Britain, which contrary to an unjustified reputation is highly approachable on questions of sentiment, readily closes her eyes to certain infringements of the blockade. Thus she has never set herself against trade crossing between Northern Africa and the mother-country.

In an interview in the *Journal de la Marine Marchande* (March 29, 1941) Admiral Darlan declared that 75 ships every week maintained the traffic between France and Algeria or Tunisia, which corresponds to the peace-time traffic. Deliveries from Morocco, and even from Dakar, Indo-China, and the West Indian islands would seem to have once more reached their normal level.

Nevertheless, besides the levies made by the Armistice Commissions, the reality of which it is difficult to deny in face of all the evidence, a proportion of all goods arriving in the Mediterranean ports has long been officially reserved for the occupied zone (*Action Française*, March 23, 1941). Since June 1, 1941, the distribution of fruit and vegetables coming from Northern Africa is arranged by the Bureau National de Répartition, which has supervising committees at Marseilles, Sète, and Port-Vendres, and which must send 60 per cent. of this produce into the occupied zone (Communiqué broadcast by Radio-Paris, June 2, 1941).

Thus the British Government gives proof of a generosity which the men of Vichy are very careful not to acknowledge.

They do not acknowledge it. And yet curiously enough, when he analyses the reasons for the economic crisis, Marshal Pétain carefully avoids mentioning the blockade among these reasons; his broadcast address of August 13, 1940, was significant on this point; more recently *Le Temps* adopted the same attitude of silence (March 20, 1941).

In reality the men of Vichy know perfectly well that the difficulties in ensuring France's supplies are essentially due to the division of the country and to the German levies, and that the blockade plays a very secondary part in the business.

Direct attacks on the blockade are found only in the mouths of the men who are deliberately playing the German game, men like Baudoin (broadcast of August 22, 1940), Darlan, and the Paris traitors.

2. COLLABORATION AND NEUTRALITY IRRECONCILABLE

As long as they insisted on the strict keeping of the clauses of the armistice the Vichy Government were unable to obtain from the Nazi authorities the concessions that would have allowed them to maintain the non-occupied zone.

If France's situation had appreciably changed since the signing of the armistice, the same was the case with Germany. The surprise of the German leaders at the resistance of England had been no less than that of the Vichy dictators, and their point of view had been modified by it.

The constant efforts of the French Government are directed to obtaining from the German Government an easing of the armistice conditions with regard to inter-zone communications. The not less constant effort of the German Government attempts to obtain, over and above the armistice terms, what it had neglected to demand at the moment of signing, namely:

- (1) The direct or indirect use of the fleet and the naval and air bases of the French Empire.
- (2) The delivery of certain raw materials necessary for Germany's war manufactures.
- (3) The placing of French industry and French resources at the disposal of the military effort of the Reich.

So long as the French Government means to hold to the terms of the armistice, and remain neutral in the conflict, it is impossible to assent to the claims of the Reich.

It grants the Axis from time to time a slight concession, which it is careful not to make public, but in return obtains only similarly small concessions incapable of really improving the position.

II. The Coming of the Decisive Hour

Thus in October 1940, after four months of his government, Marshal Pétain had obtained no modification either of the blockade or of the armistice convention. France was now on the edge of famine, and distress was growing.

Winter was approaching, and it was clear that the invasion of England could not take place before the spring. It was no longer possible for France to remain in expectancy. She was obliged to give up the idea of remaining neutral through the conflict, but she could do one of two things: either resume her freedom in face of the Reich, or, on the contrary, enter on the path of a more active collaboration.

I. THE TWO SOLUTIONS

Although the armistice between Germany and France contains no clause providing for its possible termination by France, it is clear that she can always denounce it. She could in any event repudiate her signature, as she did the one that figured at the foot of her treaty of alliance with the United Kingdom.

But she is even in possession of indisputable legal arguments to prove that it is the Reich that has failed to fulfil its engagements. It has respected neither Article 3, which laid upon Germany the duty of giving the French Government all facilities to install itself in Paris again, nor Article 17, according to which Germany was bound to take into consideration the needs of the population of the unoccupied zone.

For the French Government then the resumption of the struggle meant abandoning the home country and establishing itself in Northern Africa under the protection of its fleet. This solution presented the drawback—more theoretical than real—of entailing the total occupation of the metropolitan territory. The food situation would not have been aggravated by this, very much the opposite. Air bombardments would have been neither more nor less destructive and murderous. But this solution would have presented the immense advantage of putting an end to the devaluation of the national currency for the benefit of the Reich; no longer would the gold of the Bank of France be the security for the cost of the army of occupation; on the day of victory France would thus come back to a clean sheet with regard to her money position.

To resume the struggle, again, would mean to shorten the world war. The additional help of the fleet, the air forces, and the armies of Northern Africa and the Levant must needs greatly lighten the task of Great Britain at sea, on land, and in the air.

However, from another standpoint, it is not completely impossible to negotiate ‘in all honour’ with the Reich if that negotiation simply aims at securing respect for the clauses of the armistice, and in particular the clause relating to the entry of the products of occupied France into the free zone.

It must not be forgotten that against the instruments of blackmail in the hands of the Reich in the shape of the prisoners of war and the occupation, the Government of Vichy has a not less effective lever in the French fleet and the African bases—provided it is disposed to use them, and provided the Reich is persuaded that if it does not give way the French Government will really resume its freedom.

But to speak the truth the French Government wishes to obtain

from the Reich advantages outside the armistice, such as a modification of the line of demarcation, the freeing of the prisoners for its agricultural needs, the provision of raw materials for its industries. Thus through the force of circumstances it must come up against demands that equally go beyond the framework of the armistice.

2. WHY COLLABORATION WAS BOUND TO CARRY THE DAY

Though collaboration is against the feelings of the French people, the rulers of France mean to have it for all that.

(a) *Against Public Opinion.* If the men of Vichy hesitate to embark on the path of open collaboration it is because they are aware that it is repugnant to the unanimous feelings of the French people. The official propaganda against England and against General de Gaulle comes up against the scepticism of the masses: in vain is it impressed upon them day after day that the country's distress is due to the blockade; in so far as they believe it they rejoice. They rejoice, too, at every blow that falls upon the Axis. The English victories, the entry of Soviet Russia into the war, are toasted in champagne.

In Mussolini's own paper, the *Popolo d'Italia*, we shall find: "The hostile attitude of the French people towards Germany and Italy remains completely unchanged. Morally the alliance between Great Britain and France still exists. The recent speech of Mr Churchill on the aspirations and sympathies of the French nation was absolutely accurate. It is even the first time Mr Churchill uttered the gospel truth" (quoted by the *Evening News*, April 17, 1941).

The very persons who believe it their duty to counsel the people to support Marshal Pétain in this policy do it with doubtful enthusiasm. It was Monsignor Baudrillart who exclaimed: "Close up our ranks around the Chief and Father who to-day embodies France. Share in a work in which every one must do his part, a work that has never been attempted in this shape, which obviously, like every human effort, may fail, but which, even should it fail, would not leave us in a worse position than the one we are beginning to emerge from. And you would not have on your conscience before the whole world the detestable load of having refused to make an attempt that might have benefited every one" (interview reported in *Le Temps*, November 22, 1940).

Popular demonstrations against collaboration have never ceased, in increasing numbers and in the most varied shapes, ever since the shooting down of the Paris students in the Champs Élysées on November 11. Without going back to a thousand well-known anecdotes, we must point to the enthusiastic welcome given in

every town in France to Admiral Leahy, the United States Ambassador. No efforts of the police could suppress the demonstrations that obviously sprang from delight in the presence of the representative of a neutral Power.

(b) *Laval, Flandin, Darlan.* Meanwhile the men of Vichy had made their choice, and if they tried to evade and outflank the difficulties for some time longer none the less their course of conduct had been decided upon.

It is unnecessary to seek very far for their reasons.

They are in the first place the reasons we have already indicated, the reasons that actuated the signing of the armistice. To resume the struggle would be to give up the 'National Revolution.'

And next there are the reasons depending on the personalities of the three men who were to succeed one another in directing French foreign policy: Laval, Flandin, Darlan.

Pierre Laval was not specially the champion of alliance with Germany; as a matter of fact a few years earlier he was merely the man of whatever alliance might best serve his ambition. A pupil of Briand, but jealous of his laurels, he never in the old days rested until he had taken Briand's place at the Quai d'Orsay. Then in order to impose himself on the Ministry of Foreign Affairs it was incumbent on him to be the symbol of a policy, the policy of the *entente* with the 'sister Latin country.' His attitude towards the problem of sanctions only resulted in estranging Great Britain—which was to have the gravest consequences—without being able to avert the alliance between the Totalitarian Powers.

When Laval realized the real value of Italy and the subordinate part she was to play alongside Germany, he was brought by force of circumstances to fall in with German policy in order to cover up his policy towards Italy.

What is curious is that the most supple and adaptable politician in France, the man who while continuing as mayor of a socialist commune had succeeded in imposing himself on the conservatives, the man who had the keenest sense of the *nuance*, should have tried to go too fast, to force the pace. When Marshal Pétain himself realized that Laval's one ambition was to take his place, and that he had engineered a plot for that purpose, he put the brake on sharply. Within a few hours, after having been virtually master of France, Laval was seen as nothing more than an enemy agent.

The Marshal then thought it a good move, to avoid a break with Hitler, to cover himself by turning to Pierre Étienne Flandin.

Flandin being the apostle of Franco-German collaboration, it was permissible to hope that he would be able to persuade the Reich to reduce its claims. He would then be able to pursue negotiations in more favourable conditions.

But for the French public Flandin was merely a politician and a 'racketeer,' always on the look-out to feather his nest; the scandal of the Aéropostale continued to weigh heavily upon him. And to the French people he remained the author of the treacherous telegram sent during the Czechoslovakian tragedy. He was therefore too suspect, and was speedily thrown overboard.

By selecting Admiral Darlan as Flandin's successor the Marshal seemed to make a choice that would not run counter to public opinion like the previous ones. Darlan appeared as the Minister who, with no known political past, had restored the French Navy, and then had refused to hand it over to the enemy. In him the French would see the man most likely to secure respect for the national flag; negotiating with him the Germans would know that they were negotiating with the man who had at his disposal the most powerful instrument of defence left to France.

But if Darlan was not a Germanophile by temperament or by pecuniary interest, he was to become a partisan of collaboration from ambition and egotism. He had never been able to forgive Great Britain for the fact that the French fleet, 'his fleet,' had been placed under the control of the British Admiralty at the very outset of hostilities. If the Axis were victorious, since the French fleet was the most important on the Continent, he would be called on to play an exceedingly prominent part in international affairs. And to ensure that he would have a corresponding place on the home stage it was essential that the dictatorship, to which he was the heir apparent, should be maintained.

And thus it came that after the Montoire interview on October 20, 1940, France was to enter definitely upon the path of collaboration.

This collaboration was personally indispensable to the men in power; it was the necessary condition for the survival of the régime that had taken the place of the Third Republic.

Darlan follows the same policy as Laval and enjoys the same support. Robert de Beauplan writes in *L'Illustration* of March 22, 1941: "Admiral Darlan has the confidence of Germany, and the recent decisions he has just taken, especially for the defence of our Empire, are unambiguous."

The Syrian affair, indeed, is free from all ambiguity.

Chapter II

COLLABORATION

I. Laval

IN his message of October 11, 1940, that in which he outlined his programme, Marshal Pétain declared that France knows that, "whatever the political map of Europe and the world, the problem of Franco-German relations, treated so lightly in the past, will continue to determine its future. Without a doubt Germany can, after her victory over our arms, choose between a traditional peace of oppression and a new peace of collaboration; instead of the distress, disturbances, repressions, and no doubt fighting, that would be the consequences of a new peace made in the old manner, Germany may prefer a living peace for the conqueror, a peace producing prosperity for all. The choice belongs in the first place to the conqueror, it depends on the conquered too. If all paths are closed to us we shall know how to wait and to suffer; if on the other hand a hope dawns on the world we shall know how to master our humiliation, our sorrows, our ruins. In presence of a victor who has known how to rise above victory, we shall know how to rise above our defeat."

Then came the Laval-Goering meetings and the interview at Montoire between the Marshal and Hitler on October 20. Soon after this interview, on October 30, the Marshal exclaimed: "It is in all honour, and to maintain the unity of France, a unity of ten centuries, within the framework of a constructive activity in the New Order of Europe, that I enter to-day upon the path of collaboration. In this way, in the near future, the load of the sufferings of our country may be lightened, the lot of our prisoners may be improved, the burden of the costs of occupation may be lessened; thus the line of demarcation may be made flexible, and the administration and reprovisioning of our territory facilitated."

A few days later a semi-official communiqué endeavoured to allay all too well founded apprehensions by clearly stating that "there has never been any question of peace negotiations, and there will be none as long as the war continues between Germany and England"; but adding that all must understand that "this policy of collaboration is the only one that can ensure our country's safety, and allow her honourably to occupy her rightful place in the new Europe" (Havas, November 12, 1940).

Negotiations continued, and at the beginning of September the Government's return to Paris seemed to be only a matter of days. Already the newspapers were publishing photographs of the house at Versailles that had been requisitioned for the Marshal.

But Laval must needs go too far along the road of collaboration, or engineer a plot against the Marshal, which brings us to the sensation of December 13. Laval was thrown out of the Ministry, replaced by Flandin, and even held under arrest for a short time. Later the Marshal was to become officially reconciled with him, but without recalling him to share in the counsels of the Government.

Had Laval come to an agreement with the Reich including an important reduction of the war indemnity, the return to France of the Nord and the Pas-de-Calais, and the freeing of the prisoners of war, as was stated in a number of *L'Illustration* suppressed by Vichy? Had he besides obtained Italy's withdrawal of her territorial demands and a limitation to Alsace and Lorraine of the territories to be given up to Germany (*New York Times*, February 7, 1941)? It is difficult at present to clear up this point. In any case these 'peace' conditions must have been accompanied by singularly onerous counter-terms for the Marshal to decide to break away from Laval as he did.

At all events, from that moment negotiations for collaboration were carried on essentially within the framework of the armistice and no longer with an eventual peace treaty in mind. And in his broadcast speech of April 7, 1941, the Marshal definitely stated that honour enjoined upon France "not to take any action against her former allies."

But the policy of collaboration found expression at the time of the ministerial changes of February 24 in the appointment of a delegate-general in charge of economic relations with the Reich, Jacques Bernard, who had followed the question from the very outset.

II. Darlan

The negotiations carried on direct between Chancellor Hitler and Admiral Darlan brought the policy of collaboration into a new path.

By virtue of a first agreement, concluded on May 7, the line of demarcation was opened in general to admit the passage of goods and securities with a few exceptions (gold and currency). Travellers were permitted to go from one zone to the other in case of serious illness, the death of a near relation, or important family affairs. Correspondence by means of ordinary plain post-cards (non-pictorial) was allowed (Radio-Paris, May 7 and 15, 1941).

Again, prisoners other than officers who had taken part in the 1914-18 war were to be freed; these should be about one hundred thousand in number (Radio-Lyon, May 19, 1941). Numbers of naval officers and sailors were also to be set at liberty.

Finally a reduction in the amount of the indemnity for the occupation troops was under discussion (Radio-Paris, May 7, 1941), with the evacuation of part of the occupied zone.

No precise official details have yet been given from either side as to what France has conceded in return for these advantages. But events in Syria have made it quite clear that the Reich was empowered to use the Syrian aerodromes and railways for military purposes. It seems that the same facilities are to be given in the African territories, and it appears probable that authorization has been given to Germany to send her troops through French territory.

No doubt we shall soon be definitely informed on these various points. From the present moment we should note that Admiral Darlan is acting in full agreement with the Chief of the State. The latter has expressly affirmed this in his broadcast of May 15, adding: "To-day is not the moment for discussing our prospects, for measuring our risks, and judging our actions. The thing for Frenchmen to do is to follow me without hesitation along the path of honour and the national interest. If we can succeed in carrying through the negotiations we have now in progress, France will surmount her defeat, and will maintain her rank in the world as a European and colonial Power."

On May 23, in a broadcast, Admiral Darlan stated that Hitler had asked neither for the surrender of the fleet, nor the cession of colonial territories, nor a declaration of war on Great Britain, nor for anything that could affect France's sovereignty. He ended as follows: "Since the Montoire interview, when the principle of collaboration was decided upon, France has manifested in deeds her willingness to practise this policy. These actions have induced the German Chancellor to alleviate the consequences of defeat, that is to say, the armistice conditions which you already know. Listen attentively to these words: France's future depends in the closest way upon the result of the present negotiations. France has the choice between life and death. The Marshal and the Government have chosen life. Your duty is clear. Help the Marshal, help him with all your might, as I do myself, in the task of national reconstruction. Like him and myself, allow yourselves to be guided in your thoughts and your actions by the highest interests of France."

In his speech on August 12, 1941, Pétain once more declared his desire for collaboration with the Axis Powers, and displayed

his entire solidarity with Darlan by endowing him with larger powers.

III. The Sequence of Events

Thus the foreign policy of France appears as a logical series of events, but not with the significance ascribed to it by the Marshal and his collaborators.

It is correct that the food situation of France called for supplement from abroad. It is correct that Great Britain refused to allow this supplement. It is therefore correct that the policy of collaboration became indispensable to enable France to ensure her subsistence. It is incorrect to say that it was the blockade that threw France into Germany's arms.

The logical train of events is quite different.

The country was pushed into concluding the armistice, instead of continuing the struggle against the common enemy, because the men who put their political passions before the interests of their country needed defeat in order to overthrow the *régime* and establish their own dictatorship. If the armistice they signed contained no clause that permitted France to live, the reason is that those same men had believed their betrayal too complete for England to be able to resist alone. And if, in order to cope with the situation produced by the armistice, they entered on the path of collaboration instead of resisting the German demands, it is because only this collaboration allowed them to satisfy their personal ambitions and pursue the task they had undertaken, the destruction of the democratic *régime*. The blockade was an element in the situation of France only in so far as she failed to respect her neutrality.

From the signing of the armistice to the Hitler-Darlan and Pétain-Goering agreements events have been linked together by concatenation of cause and effect. But the links are those of a betrayal that began on the day of the armistice and never changed its character by an iota since.

SECTION III

THE NATIONAL REVOLUTION

FRANCE's foreign policy, if it has been largely conditioned by the internal situation, has in turn had its effect upon her internal policy.

Racial legislation and economic legislation carry evident marks of the influence of the victor. The turning of production in the direction of agriculture to the detriment of industry, the division of France into regions that are to become provinces, correspond to the German will.

Furthermore, it was the double problem of hunger and distress that dictated most of the Vichy Government's decisions, including those relating to the strengthening of the dictatorship.

Thus it cannot properly be said that Marshal Pétain is carrying out a consistent programme merely put into operation by the multiple laws and decrees issued from day to day. It is much more correct to say that the pretended 'programme' of the 'National Revolution' is merely an ideological mask covering measures made for the occasion or mere expedients. This will be clearly brought out by the general analysis of legislative conditions to follow in this work.

We must, however, play the game and allow that the programme of the National Revolution is in fact a programme. In the words of the note by Lachelier in the margin of an essay by his pupil Boutroux on Spinoza, "to judge a doctrine the first condition is to get well inside it, the second to get well outside it." We shall accordingly endeavour to ascertain the broad lines of the programme so that we may estimate what its practical applications are worth.

But there is one point upon which we must insist first of all, for to our mind it is decisive on the honesty of the whole matter; it constitutes the touchstone to try the good faith or bad faith of the men of Vichy. This is a comparison between the powers delegated to Marshal Pétain by the National Assembly of Vichy and the use he has made of them. And that comparison will enable us to establish that before betraying France the Vichy Government betrayed its own solemn engagements.

Chapter I

THE NATIONAL ASSEMBLY FLOUTED

OTHERS besides ourselves have already emphasized the irregularities committed on the occasion of the meeting of the National Assembly of Vichy on July 10, 1940.

Our readers will find a clear exposition of the question in the articles of Professor Cassin (*La France Libre*, Nos. 2 and 3), who in particular showed the conditions in which the Chambers and the National Assembly had been summoned and called upon to deliberate, conditions that besides being irregular constituted an attack on their liberty.

We shall accordingly not return to this point.

In our opinion the fact that the Government of Marshal Pétain was not regularly invested with its powers has only one consequence. The Pétain Government, in the eyes of the laws of the Republic, is an insurrectionary Government, and an insurrectionary Government set up under enemy pressure. General de Gaulle, invested with regular powers, forming his decisions away from all enemy pressure and having always declared his intention to have his acts ratified under the conditions laid down by the Constitution of 1875, appears on the other hand as the sole legal authority in accordance with that Constitution.

But all this is to a great degree merely theoretic. Men who hold power *de facto* acquire the quality of a Government *de jure* from the moment when they have at their disposal, and in so far as they have at their disposal, all the attributes of sovereignty. It is on this ground that it has been possible for foreign Powers to regard the Vichy Government as the Government *de jure* of France, or at any rate of that portion of metropolitan France not occupied by the enemy.

But if the vassalage of the Vichy Government to the Reich became closer, if for instance the whole foreign trade of France and her internal civil administration came to be controlled or directed by Germany, then the question might well arise whether that Government still possessed or enjoyed full sovereignty. If France came to be no more than a kind of German protectorate she would clearly lose her right to send out or to receive ambassadors.

Be that as it may, from the mere fact that the Vichy Assembly was unable to conduct its deliberations away from all external pressure, the only part it could play in our opinion was that of a tribune from which the Government addressed the Nation.

The preamble to the Bill dealing with the Constitution, which was submitted to the National Assembly, may be regarded as the contract binding the dictator and the nation. Pétain was given full power only within the framework of this contract.

Now this contract has been violated on almost every point.

If on July 10, 1940, the nation had known Marshal Pétain's real programme it could have refused its assent. Whether it agrees or no, to-day it can only be dumb, for in the meantime an organization has been set up that prohibits all expression of opinion henceforth. No resistance is now possible short of a revolt.

The abuse of power committed must nevertheless be pointed out. One day those involved must be brought to account before the Nation or its representatives. And since the Vichy Government means to put its predecessors upon trial, we must prepare the documents for their own indictment.

To consider only the chief problems we will here deal with:

1. The republican form of the government.
2. The parliamentary form of the *régime*.
3. The postponement of the new Constitution.
4. Authority and liberties.
5. The administration and justice.
6. Public finance.
7. Work and merit.
8. Economic organization.
9. The family and the birth rate.

As the nomenclature for the acts of the public powers is very different in France from that in other countries, we may remind our readers that until June 1940:

(a) A *loi constitutionnelle* was passed by the National Assembly (composed of the senators and the deputies deliberating together) and promulgated by the President of the Republic.

(b) An ordinary law (*loi*) was passed by the Senate and the Chamber of Deputies deliberating separately, and promulgated by the President of the Republic.

(c) A *règlement d'administration publique* was discussed by the Council of State, signed by the President of the Republic and countersigned by one or more Ministers.

(d) A decree (*décret*) was signed by the President of the Republic and countersigned by one or more Ministers.

(e) An *arrêté ministériel* (ministerial order) was signed by a

Minister, but certain other officials had the right to issue *arrêts* (prefects, mayors, governors of colonies, etc.).

All these instruments were equally binding on all members of the public, but an act of a lower category could not contravene the provisions of one of a higher category. For example, an ordinary law could not alter a constitutional law; an order could not alter a decree, and so forth. Ordinary courts had the right to refuse to apply acts (other than laws) which they considered irregular, in any case before them. The Council of State had the right to annul "erga omnes" all acts except laws, but no body had power to annul laws as unconstitutional.

Actually in recent years the President of the Republic had on several occasions been authorized to alter laws by decrees enacted in the Council of Ministers and termed "decree-laws" (*décrets-lois*). These acts, like all decrees, could be annulled by the Council of State as illegal if they did not fall within the framework of the legislative powers delegated to the Government.

Marshal Pétain, by a constitutional law (National Assembly of Vichy, July 10, 1940) the irregular character of which we have shown elsewhere, procured the grant of the right to alter the existing constitutional laws by his own action. By virtue of this delegated power he assumed the right to establish ordinary laws. At the present moment the constitutional laws known as 'constitutional acts' are discussed in the Council of Ministers and signed by the Chief of the State alone; ordinary laws are discussed in the Council of Ministers, signed by the Chief of the State, and countersigned by one or more Ministers. The procedure with regard to the other acts has not been changed.

I. The Republican Form of the State

If Marshal Pétain thought it his duty in July 1940 to convoke the National Assembly and obtain from it *de jure* confirmation of the powers he held *de facto*, the only possible reason was to confer a character of legality upon this *coup d'état*. He therefore intended to place himself inside the frame of the 1875 Constitution in order to proceed to the revision of that Constitution.

In so far as it may be admitted—and Professor René Cassin has powerfully shown (see *La France Libre*, vol. i, p. 172) that the system could not be readily admitted—that the National Assembly was able to delegate its powers to a third party, in any case it could delegate only the powers it held itself.

Now if Article 8 of the Constitutional Law of February 25, 1875, governed the procedure under which it was possible to proceed to a revision of the Constitution, the Constitutional Law

of August 14, 1884 (incorporated into the 1875 Constitution), expressly states that in no case "can the republican form of government be made the subject of any project of revision." Thus the Vichy Assembly could not delegate to anyone whomsoever the right to interfere or tamper with the republican form of the State.

The first act of Marshal Pétain when invested with constituent power was to do away with the republican form of government and to violate the Constitution within the framework of which he intended to take up his position.

To abolish the Republic the Marshal in very truth employed the same devious procedure as had once served to set it up.

We know in fact that in 1875 the republican form of government resulted from the carrying—by a majority of a single vote—of the Wallon amendment proposing that "the President of the Republic be elected for a term of seven years." This amendment was inserted in Article 2 of the Constitutional Law of February 25, 1875.

By the Constitutional Act No. 1, of July 11, 1940, Marshal Pétain declared that he assumed the functions of "Chief of the French State" and abrogated Article 2 of the Law of February 25, 1875. Thus it was by a change in the designation of the chief of the executive power that he modified, as had been done in 1875, the form of the government.

The abolition of the republican *régime* has since been manifested on many occasions. Public buildings no longer display the initials "R.F."; ambassadors no longer represent the "French Republic," but the "French State." The *Journal Officiel de la République Française* has become the *Journal Officiel de l'État Français*.

At the same time we may note that the magistrates known as "procureurs de la République" have thus far retained their style and designation.

The motto "Liberté, Égalité, Fraternité" has given place to "Travail, Famille, Patrie," "work, family, and fatherland," which only yesterday was the motto of the Croix de Feu, a Fascist organization.

Furthermore, no one now disputes the fact itself.

But what we must repeat and emphasize is that the operation was carried through with neither the assent nor the tacit complicity of the National Assembly.

At no moment in the debates was the republican form of government ever in question; the only issue was with regard to changes to be made in the working of democratic institutions.

And furthermore, Marshal Pétain deliberately deceived the Assembly by an ambiguous formula. The Bill drawn up by himself and sponsored from the tribune by Laval conferred on the "Government of the Republic" power to promulgate a new constitution of the "French State." And the term "Republic" was not inserted as mere empty formula—it had a precise signification. As a general rule, the term 'Government' and not the formula "Government of the Republic" was used while the Republic was in existence; the insertion of the term "of the Republic" could only signify the principle of the maintenance of the Republic.

Such was Pétain's first act of betrayal.

II. The Parliamentary Form of our Institutions

To this reasoning it may, however, be objected that it is useless to play with simple verbal forms, and that the fact that the State does or does not call itself a 'Republic' changes nothing of the nature of its institutions. The one important point would be whether the Assembly was agreed or not agreed upon the character to be given to the new institutions.

This objection is in part justified.

But the precise truth is that Marshal Pétain deceived the Assembly with regard to the parliamentary form of our future institutions, just as he deceived it with regard to the republican form of the government. Here again the texts are categorical and leave no possible doubt as to the bad faith of those who drafted them.

The Bill providing for the Government expressly stated that the Constitution would be "ratified by the *Assemblies* which it creates." Following an exchange of views, the details of which are of little importance, the text finally adopted on July 10 sets out that the Constitution "shall be ratified by the Nation and executed by the *Assemblies* it shall create."

The preamble to the Bill noted also that "the Government shall preside continuously over the country's destinies and shall direct the general activities of France for the common good. The Government will have the collaboration of a *national representative system* which will play its normal part in conjunction with it."

That is not all.

On July 10, in the morning session of the National Assembly, Pierre Laval, who had been commissioned by the Marshal to sponsor the Bill, declared in the plainest terms:

"There is one undertaking I shall make in the name of Marshal

Pétain: the new position of Parliament shall be determined by an Act. The Chambers will continue to exist until the Assemblies provided for by the new Constitution have been instituted . . . thus there will be no hiatus between the moment when the present Chambers disappear and the moment when others take up their duties. . . . I say 'in the name of Marshal Pétain' so that there may not be the slightest doubt in your minds that the pledge I am making will be honoured."

M. Boivin-Champeaux, as the *rappoiteur*, notes this undertaking and adds that until the ratification of the new Constitution "the Chambers, remaining in discharge of their functions, will be a support to the Government."

The delegation of constituent powers given to the Marshal thus beyond any dispute included the obligation to maintain the parliamentary régime. The Chambers when voting could not possibly have been in any doubt on this point.

Let us add besides, that we may not be accused of leaving anything in obscurity, that the existing Chambers were fully aware that they were about to surrender a part of their powers to the Government. This resulted from their delegation, even by consent, to the Government until the ratification of the new Constitution. In his speech already quoted Pierre Laval had again quite definitely stated: "The Chambers—I say this so that there may be no misunderstanding—by reason of the full powers you are giving Marshal Pétain and his Government will have a necessarily reduced sphere of activity."

Accordingly the position of the Government in relation to the National Assembly was very clear: the new Constitution was to comprise a Government invested with wide authority, but assisted by legislative Assemblies playing their normal part; as for the existing Assemblies, these were to continue during the transition period with a reduced sphere of activity.

On the very next day after the meeting of the National Assembly, Marshal Pétain, by Constitutional Act No. 1, invested himself with full legislative powers until the meeting of the new Assemblies, and by Constitutional Act No. 2 adjourned the existing Assemblies *sine die* and prohibited them from meeting unless summoned by him. He left them only one single prerogative: their assent must be given previous to any declaration of war. This is a pretty touch in days when wars are made without being declared.

No doubt that is what Pierre Laval called a "necessarily reduced sphere of activity." We should be curious to know what he would understand by complete inactivity or absence of activity.

The existing Assemblies, contrary to the formal undertakings

given by the Government, have therefore in practice been abolished.

Has the Government at least taken the necessary steps to ensure the formation and meeting of the new Assemblies that were to take the place of the old? By no means, and this is one of the points that we shall dwell upon when studying the third betrayal of Marshal Pétain, which relates to the National Assembly.

The second betrayal is in any event, like the first, clear and obvious.

III. The Postponement of the New Constitution

What exactly was the delegation of powers given to Marshal Pétain by the Vichy Assembly? It was both very restricted and very wide at the same time.

1. CHARACTERISTICS OF THE DELEGATION OF POWERS

That Marshal Pétain did not obtain from the National Assembly an unlimited delegation of legislative powers is quite clear. He only obtained full powers for the purpose "of promulgating in one or more decrees the new Constitution of the French State." It is therefore a question of a commission limited in its object as in its duration. The limited delegation of constituent powers ought to operate only during the period of time actually required for drafting the "decree or decrees" determining the principles of the new Constitution, and for their ratification by the Nation.

At no moment could the Vichy Assembly have supposed that there was in question anything but a limited period, essentially transitional, between the operation of the old and the operation of the new institutions. It could not have anticipated that it was a question of an unlimited period or of a period capable of being prolonged for several years.

Thus the delegation of power was restricted to the drafting of a Constitution.

A very wide delegation, however. For the new Constitution was not to be a simple political Constitution, merely laying down a few principles relating to the working of the public powers, as the Constitution of 1875 had done.

The Constitutional Law of July 10, 1940, does itself in fact provide that the "new Constitution" "must safeguard the rights of labour, of the family, and of the fatherland," which implies that the Constitution must regulate the whole economic, social, and political organization of the country. The preamble is equally precise: "The Government therefore requests the Parliament, meeting as a National Assembly, to grant to Marshal Pétain,

Président du Conseil, discretionary powers to promulgate over his signature and upon his responsibility, the *basic laws* of the French State." The preamble then lays down the general lines to be respected by the new Constitution in the various spheres of the country's activities.

In short, the delegation of powers was solely directed towards the drawing up of a Constitution, but of a Constitution very broadly conceived.

There is, however, yet another point that calls for notice.

The Constitutional Law of July 10, 1940, provided that the new Constitution promulgated in one or more decrees by Marshal Pétain should be "*ratifiée par la Nation et appliquée par les Assemblées qu'elle créera*," ratified by the Nation and *executed* by the Assemblies which it creates.

Now this formula has, and can have in the French language, only one meaning. The new Constitution, even when it has been ratified, will come into operation only when the Assemblies established by it have met and are consequently in a position to *execute* it. Until then it is the old Constitution that must continue to operate, and this fact is confirmed by the retention of the existing Assemblies in their functions.

Acts of a constitutional character that may be promulgated by Marshal Pétain ought not therefore to come into force until a later date. They can only govern the future and should have no present validity.

Only one alteration in the constitutional *régime* now in operation should be of immediate application. This is the substitution, following the Constitutional Law of July 10, 1940, of Marshal Pétain, Président du Conseil, for the President of the Republic, for the promulgation of the decrees composing the new Constitution.

For the rest, and until the meeting of the new Assemblies, the Government should only be in possession of the powers held by its predecessors, of course including also any exceptional legislative powers in operation since the outbreak of hostilities. It can therefore act through "decrees" with the force of laws in legislative matters, but can make no laws properly so called, nor *a fortiori* constitutional laws immediately applicable.

"The Government," says M. Boivin-Champeaux in his report, "accepting the thesis of the Veterans' Association, has agreed that the Nation should be called upon for ratification. This means that ratification must come before the new institutions take effect."

2. THE "CONSTITUTIONAL ACTS"

Here, too, we can see at once how far the Vichy Government flouted the National Assembly and travelled outside all legality.

Instead of promulgating, in accordance with the delegated authority he was invested with, the decrees destined to be incorporated in the future Constitution, the Vichy Government postponed *sine die* the drafting of these decrees and promulgated a certain number of texts which it called "constitutional acts."

These "constitutional acts," according to their author, are essentially provisional. They have the peculiar feature of not having been subjected to any form of ratification. In fact they do not fall within the framework of the Law of July 10, 1940, which called for ratification by the Nation, neither are they *décrets-lois* subject to ratification by Parliament in accordance with the terms of the previous law relating to plenary powers.

The provisional nature of the "Vichy Constitution" is disputed by no one.

In an interview (*Le Temps*, October 6, 1940), the then Secretary of State for Foreign Affairs, Paul Baudoin, declared that "the country is awaiting its Constitution which Marshal Pétain will no doubt give it only after the conclusion of the peace treaty. Our compatriots, crippled by the war, like all Frenchmen, expected this reform to be the foundation of the structure. In reality it will be the roof. It is not indeed possible in present circumstances to create new political institutions and have them ratified by the Nation. On the other hand, it is in the spirit of these institutions that the first reforms are made and that others will follow. The Constitution will be the crown of the whole."

In his speech of March 19, 1941, at Grenoble, Marshal Pétain declared: "It is my duty to prepare, against the day when France becomes free once more, a new Constitution the principles of which are already accepted. I am building its pillars from day to day, the charter of the provinces. Meanwhile, until it is promulgated government must be carried on."

In reality, the pretended "constitutional acts" are so many *coup de force*. No text authorized the Government to change the Constitution actually in force, even temporarily, outside the rules laid down by the Law of July 10, 1940, nor *a fortiori* to make changes so promulgated immediately applicable.

Marshal Pétain thus arrogated to himself the right to change the Constitution, when his commission was merely to draft the text of a future Constitution. Having conferred this right upon himself, he abolished the office of President of the Republic, adjourned Parliament, and took the legislative power upon himself.

These are mere details. The cardinal fact is that the Marshal acted outside all delegated authority. The "constitutional acts" promulgated by him being illegal, all measures taken by virtue of these acts are similarly illegal. Acts and measures will retain validity only while the insurrectionary government of Marshal Pétain remains the government *de jure* of France.

We must observe that we by no means deny that an insurrectionary government can become the legal government of a State; this is the case with every successful revolution. We merely point out that the legality claimed for Pétain's acts alongside of the texts previously in force is merely pretence. There has been no break or gap between the Third Republic and Marshal Pétain's State.

Moreover, President Albert Lebrun, re-elected in April 1939 for a term of seven years, has not resigned, neither has he countersigned the appointment of his successor. The duly elected parliamentary Assemblies have never ratified their adjournment or disappearance. In theory, therefore, the President and the Assemblies alike retain their full powers and functions.

Has Marshal Pétain, who invested himself with dictatorial powers by such a piece of sheer jugglery, has he at any rate, in the exercise of those powers, respected the principles upon which he told the National Assembly he meant to base his actions? If this were the case questions of form or procedure would lose much of their interest.

IV. Stability, Independence, Liberties

In the preamble to the Constitutional Law of July 10, 1940, Marshal Pétain had stressed the need for "restoring the State in its sovereignty and the governmental power in its independence. Legitimate authority," he added, "will be freed from the pressure of the oligarchies. The Government will preside over the country's destinies with continuity and will direct the general activities of France for the common good. . . . Firmness will be its law, but it will apply itself to reconciling authority with respect for all necessary liberties."

Authority and stability, independence and respect for liberties not contrary to the general interest, these then were to be the foundations of the new political régime.

When we study the measures taken to strengthen the State (see Part II, Section I) we shall see that in point of fact the Vichy Government strove to increase the authority of the State. The establishment of a powerful dictatorship was, after all, the object of the *coup d'état* against the Republic. The enterprise failed, and

no French Government has ever been smitten with such impotence as that of the present moment. But the National Assembly could not reproach the Marshal with betraying his undertakings on this point.

It is a different matter with regard to Government stability, the independence of the public powers, and the respect for liberties.

I. STABILITY

Stability is undoubtedly the chief element in the strength of a Government. And by stability we must understand (*a*) stability in personnel, (*b*) stability in ideas.

Stability in personnel means that Ministers must retain their portfolios long enough to be able to impose their views, their general guiding principles, and their method of work, on their chief collaborators. It means also that these chief collaborators, the high officials, must remain in the same posts long enough to have their staffs well in hand and be able to get the very best work from them. The realization of this double condition, which should ensure the smooth running of the public services, is also a decisive element in the effect of the public services on the population.

Now during no period of the existence of the Third Republic were ministerial changes so frequent as since the setting up of the dictatorship: eleven crises in a year. Except the Finance Ministry, all the holders of the principal portfolios have been changed many times. The Vice-Presidency of the Council has been held by Laval, then by Darlan. Foreign Affairs have been entrusted to Baudoin, Laval, Flandin, and Darlan. Industrial Production has been in the hands of Février, Pomaret, Belin, Pucheu, and Lehideux. The Ministry of Education has been under Rivaud, Miraux, Ripert, Chevalier, and Carcopino.

As for the dance of the high officials, the less said the better. It is sufficient to run through the *Journal Officiel* to perceive how quickly the most important posts in both the central and the provincial departments change hands.

Continuity in political ideas and in programmes is of no less importance. To begin with, no structure is built in a day, and again, and above all, officials only really work 'in good heart,' and the public only submit cheerfully to certain disciplines, when they feel that they are co-operating in the application of serious regulations and not of purely ephemeral orders issued to-day and contradicted to-morrow.

Now the policy of the Vichy Government has been as unstable in the foreign field as at home. In the foreign field the successive

influences of Laval, Flandin, and Darlan, contradicted by the Marshal's own policy, have kept France hovering between the strict application of the armistices, limited collaboration, and complete collaboration. On the home front the successive action of Alibert, a decentralizer, and of Peyrouton, a centralizer, resulted in the most glaring inconsistencies, while both from the social and economic standpoints the Government allowed itself to drift with events as they came.

There is, so to speak, no text promulgated by the Vichy Government that has not been abrogated later or altered many times over. Paradoxical as it may seem, we are perhaps helping the Vichy Government by publishing this work, which will enable it to 'take its bearings' and see where it stands.

Thus there is no stability in either men or policy.

2. INDEPENDENCE

"It is essential," declared the preamble to the Bill, "to restore . . . the governmental power in its independence. The legitimate authority will be *freed from the pressure of the oligarchies*. . . . Firmness will be its law, but it will be applied to reconcile authority with the *respect for all necessary liberties*."

This means two things:

- (1) The Government will be independent of all private interests and will take its decisions only in accordance with the public interest.
- (2) It will, however, allow all liberties compatible with the public interest.

Let us then look at the problem of governmental independence and that of the maintenance of public and private liberties.

The Government of the Third Republic had incontestably ceased to be independent. For many years past Governments, however Left they might be, were in thrall to high finance, because the assistance of the banks was indispensable for them, and however Right they might be, they were in thrall to the associations of civil servants, which prevented them from ensuring discipline in the public services. The influence of capital was, however, tempered by the action of the workers' groups, which represented the power of numbers, and the influence of the civil servants' associations was tempered by the old officials' traditional devotion to the State. The régime was far from perfect, but it could continue to get along somehow.

Marshal Pétain suppressed the most important unions of

employers and workers, curtailed the others, and suppressed the associations of civil servants. Thus in theory he established his independence with regard to the economic powers, just as he did with regard to the political powers by suppressing all parties, the associations of old soldiers, and the secret societies.

But that is merely a blind for the public, a piece of trickery.

Never was a Government less independent than that of Vichy.

We have already seen that its foreign policy had brought it under the permanent blackmailing of the Reich. Now this blackmail is exerted even over internal policy, for we can find no other justification for racial legislation, for the predominance assigned to agriculture, for the proposed splitting up of the country into provinces. The Vichy Government is behaving like a vassal of Berlin.

At the same time it has given itself over, bound hand and foot, to the representatives of the great employers, and this with none of the counterpoises that existed previously. Until the Pétain dictatorship the employing classes could, and did in fact, exert pressure on the Government to obtain certain advantages, but they did not govern. Since Pétain's accession to power the employing class itself governs.

This came about very simply, and in two moves.

The first stage was as follows. The whole economic and social life of the country was brought under the State and placed under the control of Organizing Committees, or similar bodies. These Committees or bodies were granted powers that had previously been vested only in the public authority—namely, the power to make regulations and the power to impose penalties on third parties. Every individual, every undertaking, every vocational, economic, or social group in every branch of activity, came under their sway.

The second stage was that the Vichy Government placed only representatives of the big employers at the head of these Organizing Committees and similar bodies. Thus the 'Comités des Forges' of every branch of trade and industry became the sole masters of the country. Artisans, workmen, owners of small and medium enterprises, could do nothing but carry out the orders of the big employers; any resistance on their part would merely mean that they would be deprived of their livelihood.

We can only bow in admiration before the skill of this manœuvre.

To-day (in his speech of August 12, 1941) Marshal Pétain pretends to be indignant: "The power of the trusts has tried to assert itself afresh by using for its own ends the institution of the Committees of Economic Organization. . . . The selection of the members of these committees has been difficult; we have not always been able to find impartiality and ability united in the same brains. . . . The great firms have usurped an excessive authority

in them and a control that is often inadmissible.” And the Marshal declares that he is crusading against the trusts—but he has been repeating that continually since June 1940. And we thought that he accepted responsibility for all the acts of his ministers.

3. LIBERTIES

We now come to the third point, the respect of “necessary liberties.” How has the Government kept its engagements in this matter?

To tell the plain truth, when we survey the whole horizon of life in France to-day, we can perceive that the only liberties our countrymen have been left are to be cold in winter, to be hungry at all seasons of the year, to be clad in rags, and to stay where they are for lack of means of transport.

If they belong to the working classes they can no longer marry a wife, for she would find herself deprived of her livelihood; whatever class they belong to they now cannot even have children, since it is impossible to feed and tend them properly.

At any moment they can be arrested for no reason, and with no power to defend themselves before any court, for the old *lettres de cachet* have come back in the shape of ‘administrative internment.’ They can no longer form groups in accordance with their views and tendencies. They no longer have the right of meeting except in their official groups. They no longer have the right to vote. No longer may they listen to broadcasts from anywhere they please. No longer have they freedom to write, nor have they the right to read independent newspapers. No longer have they even the right to spend the money they earn. They have no right to leave France; they cannot cross the internal line of demarcation except in strictly limited cases. And if they had Jewish or foreign grandparents, or if, being civil servants, they have the ill luck to displease the Government, they have no longer even the right to work.

Moreover, the programme-message maintains a completely new thesis. “Authority is necessary to safeguard the liberty of the State, and to guarantee individual liberties in the face of coalitions of vested interests. . . . What indeed would liberty—liberty in the abstract—mean in 1940 for an unemployed worker or a small employer who has been ruined but the liberty to suffer with nothing to turn to in the midst of a vanquished nation? We shall lose nothing in reality but certain fallacious semblances of liberty the better to preserve the substance.”

Translated into clear terms this means that the “substance of liberty,” which is alone to survive, consists in telling oneself that

the State itself is free and that attacks on individual liberties consolidate the aggregate liberty of the Nation. If the French people content themselves with this, they are vastly changed.

In his programme-message the Marshal, after declaring that "history is made up of alternations between periods of authority degenerating into tyranny and periods of liberty engendering licence," added that "the hour has come for France to substitute for these painful alternations an harmonious marriage of liberty and authority." Doubtless he was thus endeavouring to lay down the programme of his successors and reserved to himself the rôle of inaugurating a new period of authority degenerating into tyranny.

Thus this Government that was to be strong and stable and independent, and to respect liberty, only succeeded in becoming an impotent and unstable Government, subordinated to enemy influence and the sway of big capital, and the murderer of our last public and private liberties.

Is that what had been promised to the National Assembly?

V. Administration and Justice

Shall we be more fortunate in our search for signs of respect for given pledges when we take up a new theme: Administration and Justice?

The preamble set out that the Government intended to reconstruct "upon modern and simple bases, the administrative and judicial institutions of the country, disorganized by invasion."

i. ADMINISTRATION

In his message to the French people on July 11, 1940, Marshal Pétain defined the spirit in which he intended to reform administration:

Twelve ministers will share the administration of the country. They will be assisted by Secretaries-General who will direct the chief departments of the State. Governors will be appointed to the great French provinces. Thus the administration will be both concentrated and decentralized. Officials will no longer be hampered in their actions by too narrow regulations and too many checks. They will be more free, they will act more speedily. But they will be responsible for their mistakes.

The Vichy Cabinet did in fact abolish certain checks, but it complicated the administration to such a degree that never

before has it worked so badly. This results from four main causes:

- (a) The increasing complexity of the texts to be applied.
- (b) The division of the departments between Paris and Vichy.
- (c) The multiplication of administrative departments.
- (d) The incompetence of the officials.

(a) *Complexity of Texts.* Already under the previous régime the complicated nature of the texts of statutes and regulations had become such that only specialists could understand them. But at any rate the officials, long accustomed to deal with the same questions, were able to apply these texts after a fashion.

The Vichy Government having set its heart on altering the whole body of statutes and regulations achieved a record output, but gained nothing in clarity. The texts, over-hastily drafted, are too often confused, and are constantly being altered or abrogated or replaced. They now constitute a virgin jungle in which even the most hardened specialists are utterly lost. No one any longer knows what is applicable, what is not yet applicable, or what has ceased to be applicable.

To crown all, certain texts are applicable only in the free zone, while others apply in both zones. Orders of the German Command frequently alter regulations in force throughout the rest of France.

Even a first-rate administration would be incapable of correctly applying the new legislation in combination with the old.

(b) *Duality of the Administrations.* The maintenance of the political Government at Vichy aggravates still further this situation, for one part of the central public departments is in the Vichy region, while another is working in Paris.

From this it comes that on the one hand many departments must have two heads, one in the free zone, the other in the occupied zone, and on the other hand the relations between departments have become physically much more complicated.

The Ministers or their chief collaborators must be constantly going to and fro between Paris and Vichy. As for the public, it knows neither where nor to whom it should apply. And when it has discovered the appropriate department, that department often does not know where its archives are, or has lost access to them.

(c) *Mushroom Departments.* But these are mere details compared with the difficulties arising from the multiplication of departments, which spring up like mushrooms. Every day several new departments or committees are set up, while new officials are charged with new duties. And the co-ordinating

bodies that are created as a rule merely add to the general confusion. This is due to the fact that previously the State confined itself to certain functions, while now it does everything.

Alongside the administrative departments ruled by the State there were created administrative departments ruled by private individuals: all the organizing committees, allocation bureaux, and offices that divide between them the various branches of economic activity. Each of these departments has its own agents, its own supervisors, its own budget.

The overlapping of jurisdiction has become inextricable, even starting at the very top of the departmental hierarchy.

If the number of Ministers has been limited, it is becoming impossible to count the number of the secretaries-general and commissioners-general charged with the most various matters. And as each one works in isolation, without having time to ascertain or verify what the others are doing, the result is the most contradictory and absurd decisions.

The system hardly works any better in the provinces. The prefects were endowed with wide powers, and that was good in principle. But they used these powers to organize everything inside the borders of their *département* as if that department was independent; autarchy in the *département* is one of the causes of the difficulty of supplies. A remedy has been sought for this in the creation of regional prefects, but these have regional powers only for certain questions and retain their departmental powers for others; furthermore, they can delegate a part of their regional authority to the prefects of the *départements*. We can see at once the fresh difficulties that must spring from this state of things.

(d) *Incompetence of Officials.* And to crown everything it would seem as though all necessary steps had been taken to see that no official is any longer conversant with the department he has to direct.

In the old departments it has been done by means of dismissals and transfers. The most unexpected officials have been put in the most unlikely posts. It does not seem *a priori* that the appointment of admirals or naval officers to innumerable civil posts ought necessarily to have much better results than if the command of warships had been given to policemen or inspectors of finance.

As for the new departments which had to pick up their staff where they could find them, they have none of the traditions or routine that enable departments to function normally.

The result of these various measures is a complete disorganization of all public services.

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The editorial in *Le Temps*, March 19, 1941, having described certain anomalies in the working of the supply services, continued:

Anomalies of this kind could only arise, if care is not taken, from an excessive overlapping of authority. That for the old administration there should be substituted a younger and more active one is all to the good. But if, in the public sphere, the old administrations still continued and if the impotence of the old were added to the inexperience of the new, if in the private sphere the committees were managing to hamper one another, then there would come about a general paralysis, and we would only wind up with an immense confusion.

Bureaucracy leads to impotence, to the suppression of initiative and responsibility. It must disappear from the new régime, and it will in fact disappear provided the central power constantly looks to it. It may be excellent to concentrate authority in a few hands. But it is essential that these hands shall be capable of making all the wheels of the machine run smoothly.

The administration of a well-ordered country such as ours will be has one essential characteristic, it must be alive. Life demands initiative, it must have action. Bureaucracy desiccates and paralyses.

The example of the Chief of the State, his simplicity, his directness, will, we have no doubt, be followed by all who are in charge of ravaged France, ravaged but reviving, a France that has the will to live.

But can we find a better conclusion under this head than the actual words of Marshal Pétain at Grenoble, March 19, 1941?—

My work and that of my Government are not always exempt from criticism. . . .

Complaints are made of the vexatious ways of certain departments and the courtesy of officials. The Government must accept a share of responsibility for this, for the prefectures and the mairies are submerged under a flood of regulations and decrees the application of which, always a matter of urgency, leaves no leisure nor breathing space to the officials who have to interpret them. This situation will improve with time and as the officials gain experience. I ask you to be patient.

2. JUSTICE

The Government "will reconstruct, on modern and simple foundations, the judicial institutions of the country," announces the preamble of July 8, 1941.

And that in fact was one of the first tasks of a Government proposing to let a little fresh air into the country. The French judicial system was one of the worst that can be conceived. Judges saw their promotion subject to many influences, and not dependent only on their devotion to duty. Justice was slow and costly.

Slow because of the complicated procedures; costly by reason of the innumerable intermediaries who come in, barristers, solicitors, court officers, and so on. The failure of the judicial system had been well established, as was shown by the growth of arbitration.

Every one was looking for a clean sweep.

Actually, the Vichy Government confined itself to getting rid of those magistrates who appeared insufficiently subservient. And as even when thus purged the legal personnel did not appear reliable enough, it set up extraordinary jurisdictions to try its most dangerous enemies, the Supreme Court of Justice and the Court Martial and the Tribunal of State.

Contrary to all principles it has created new crimes or offences, and made them retrospective. And it has invested itself with powers that till then belonged only to the judicial authority, such as the power to imprison supposed delinquents, and to pass sentence on them.

Here the schedule of what promises have actually been fulfilled amounts to nil.

VI. Public Finance

However, let us patiently continue our survey of the reforms announced to the National Assembly:

As arbiter of the common interests of all Frenchmen, it [the Government] will strive in this work to lighten by the strictest economy the burden of public expenditure which has been rendered overwhelming by an unsuccessful war.

So declares the preamble.

The budget of 1939 was for 66 milliards of francs.

The budget of 1941 is for 300 milliards (including the war indemnity).

No other comment is called for.

VII. Work and Merit

The restoration of individual worth is one of the essential articles in the programme of the "National Revolution."

The preamble expressed itself in the following terms:

The restoration of the hierarchy of ability will remain the most urgent task in every domain. Every Frenchman in the home country or in the Empire must be assigned his place, in which he will best serve our country. Only one aristocracy will be recognized: the aristocracy of intelligence; one sole merit: work. They will guide the country towards its new destiny, that of eternal France, to continue the sacred task of the ages.

The programme-message once more emphasized:

The new *régime* will be a social hierarchy. It will rest no longer upon the false conception of the natural equality of man, but upon the necessary idea of equality of opportunity for all Frenchmen to prove their ability to "serve." Work and talent alone will be the foundation of the French hierarchy. No unfavourable prejudice will be directed against any Frenchman because of his social origin, provided only he completely identifies himself with the new France and gives it his wholehearted co-operation. The class-struggle, so fatal to the nation, can only be done away with by doing away with the causes that formed those classes and set them against one another. Thus there will be born again the true *élites* that the superseded *régime* spent years in destroying, and which will give us the leaders needed for the development of the prosperity and dignity of all. . . .

The hierarchical character of the new *régime* is inseparable from its social character. But this social character cannot be founded on theoretical declarations; it must appear in facts; it must find expression in immediate practical measures. The first duty of all Frenchmen, workers, farmers, officials, technicians, employers, is to work; those who disregard this duty would no longer be worthy of their citizenship. But equally all Frenchmen have a right to work.

We have quoted these texts in full because they contain a perfect expression of what is to be the social work of the Government that will to-morrow be in charge of French affairs. It seems that everyone ought to be able to give allegiance unreservedly to the ideas set forth in these texts.

Unhappily the Vichy Government has not produced the least semblance of any measure that might appear to come within the framework of this programme. Government and civil service posts are given only by favour and intrigue. As for private posts, they are still bestowed under the same conditions as in earlier days. Even the laws relating to wages have not been revised so as to allow of better pay for the good worker than for the bad.

This matter will be touched upon again when we come to deal with the laws relating to labour and unemployment.

VIII. Economic Organization

And now we can come to the question of chief importance, that of the economic and vocational organization of the Nation. Here again the Government had undertaken solemn engagements before the National Assembly. And in this matter it has acted, but by doing on most points the exact opposite of what it had promised.

1. THE PROMISES

The preamble expressed itself in the following terms:

Assuredly the economic life of our country is about to have a new orientation. Identified with the Continental system of production and exchanges France will become once more, and to her advantage, agricultural and peasant in the first place, and her industry must recover its tradition of quality.

It will therefore be necessary to put an end to the present economic disorder by a rational organization of production and by corporate institutions.

The transformation of the vocational framework will naturally lead the Government to set up a new social order which shall be just and equitable. Employers and wage-earners have an equal right to find in the work that brings them together the means of securing a decent livelihood for themselves and their families.

Vocational organization, brought into being under State control in accordance with this principle of co-operation, will ensure a fairer allocation of profit while eliminating on the one hand the dictatorship of money and plutocracy, and on the other hand poverty and unemployment.

2. THEIR FULFILMENT

The economic organization of the country will be very fully dealt with presently (see Part II, Section V). We shall confine ourselves here merely to showing in what particulars it is contrary to what had been promised.

Let us at once state that the Government has indeed made every effort to secure the predominance of agriculture in the economic system of France. Hence it cannot be found in contradiction to its promises on this point. Whether those promises and their fulfilment are in accordance with France's interests is a quite different question which will be examined in due course (see Part II, Section IV).

Where actual legislation deliberately violates pledges given is with respect to the part of the State in the economic system, and the form given to the organization of the trades and professions.

It is clear from the preamble that the State was to confine itself to creating corporative institutions and supervising their working. Thus the whole economic organization was to rest upon the co-operation of employers and wage-earners within the same groups.

Now this corporative organization has been brought into being only for agriculture and for sea-fisheries, and furthermore the State, through the method of appointing central bodies and by

the powers it reserves to itself, in reality retains the management of this corporatism.

In industrial and commercial matters there is no longer any question whatever of corporatism. We may try to explain this fact by the difficulties in the way of associating within the same group not two but three social categories: the employers, the staff, and the workers. But in any case the fact is certain.

Instead of setting up a collaboration of all concerned, the State has set up organizations of employers alone, placed not under its supervision but under its effective control. The workers and the staffs are put under the control of these employers' organizations.

The present economic system is thus a controlled system with a predominance of the employing element. We are very far from the controlled private economic system in which co-operation between all concerned was to eliminate "the dictatorship of money and plutocracy."

In actual fact the French economic system is to-day entirely copied from the German.

IX. The Family and the Birth Rate

In short, there is only one point upon which the Vichy Government has striven to respect its undertakings: that which concerns the family and the birth rate. The preamble pointed out that "national education and the formation of the young shall be among the Government's foremost cares. Conscious of the mortal peril that the intellectual and moral perversion of certain individuals have brought upon the country in a decisive hour, it will encourage with all its power the institutions best adapted to increase the birth rate and protect the family."

In actual fact the Vichy Government changed the spirit of elementary education partly by dismissing numbers of teachers, partly by bringing sport and physical culture into its programmes. It adopted certain measures favourable to large families and an increased birth rate. Whether these measures are coherent or not is of little importance for the moment; that they have been adopted is enough to show that the Marshal has respected his promises on this point.

Unhappily these measures are, through the force of circumstances, inoperative. The division of the territory into zones, the holding of the prisoners in captivity, the food situation, and unemployment, all militate against the effective implementing of any policy relating to the family or the birth rate.

Of all the undertakings entered into before the National Assembly, in a word, only one has not been violated by the Government, and that one is incapable of fulfilment.

It may be said that no Government and no party has ever so completely betrayed those who had put their trust in it.

Chapter II

THE PROGRAMME

THUS in practice the Vichy Government has respected none of its engagements made before the National Assembly. Therefore it has applied a different programme. What is that programme? Where can it be found?

When we pointed out on the one hand the obstacles and difficulties in the Marshal's path, and on the other the trumps contained in his hand, we noted that the chief of these trumps was the absence of a programme and of a party. We observed that he was the only one of the European dictators to enjoy so fortunate a situation (see Section I).

Yet this was mere show. Events were very speedily to prove as much.

In reality Marshal Pétain is no more now than a man of straw—or a banner, to take the formula that will be least offensive for one who was a great soldier. The moment he had taken over power those who had pushed him into it were to come to him to clamour for their dues. Thus he found himself the prisoner of a tribe who were bent upon getting from him the positive realization of certain doctrinal conceptions and the satisfaction of certain personal ambitions.

But he found himself at the same time the prisoner of circumstances. Only a few weeks after the meeting of the National Assembly, with the stocks of the free zone exhausted, he was in the deadly grip of the food problem; next, unemployment linked with demobilization presented a most anxious problem; and lastly, the payment of the indemnity for the troops of occupation obliged him to open wide the flood-gates of inflation. To obtain the co-operation of the peasantry he must needs multiply concessions to agriculture; to get the co-operation of the great industrialists he must needs grant them excessive and unconscionable powers; to obtain a few necessary concessions from the Reich he was driven to plunge into a violent racial policy; to pacify public opinion he had to hunt about for traitors at any price.

The programme of the National Revolution thus results from a compromise between the pre-existing theories of the Marshal's supporters and the necessity of, in the first place, ensuring that the country shall live. One consequence of this is a lack of consistency

that has not escaped the notice of some people even in France. And to avoid contradictions the programme must confine itself to intentionally vague formulæ.

So that on December 29, a month and a half after the publication of the Marshal's programme-message (October 11, 1940), Paul Baudoin, the Secretary of State, addressing the younger generation, was obliged to make this admission:

I know that a certain number of you are anxiously awaiting a national doctrine, a collective faith. How well I understand them. . . . You are waiting for us to bring you the wherewithal to feed your ardour. You feel the need for a discipline of life, a faith. The elements of this high national doctrine shall be given you. Do not be impatient.

The "high national doctrine" decidedly seems to be very difficult to define, since at the end of 1941 it is still unknown to anyone. But then how is it possible to admit that it is merely made up of a collection of the wretched designs of the myrmidons of the dictatorship and of dubious devices imposed by circumstances.

In his important speech of August 12, 1941, Marshal Pétain gave us nothing new; he confined himself to strengthening the Government's means of action.

We shall nevertheless try to set forth the main lines of the programme as they seem to emerge from the message of October 11, 1940, and from the basic laws issued since then.

I. The Main Lines of the Programme

The National Revolution is to be the result of a complete recasting of all legislation and all regulations and statutes previously in force. This work of reform can be carried out only by a strong authority, capable of taking swift and ruthless decisions and enforcing their application without faltering. When the body of new fundamental laws has been established, but only then, it will be possible to return to a form of government that will secure to representative assemblies certain rights during periods of calm at home and abroad.

Until that moment arrives all powers must be concentrated in the hands of a single individual, the Chief of the State. He will act by means of constitutional acts, laws, decrees, orders, or decisions, as the case may demand, he will have the armed forces and the police at his command, and will have the absolute right to intern whoever he pleases.

So that the Chief of the State may be able to act effectively he will have merely a small number of direct collaborators; a Vice-

President of the Council, who is at the same time his eventual successor, and only four other Ministers will form the Cabinet under his presidency, and will share the direction of all the public departments. And, furthermore, these Ministers will in reality be merely officials invested with a temporary commission, appointed and removed by the Chief of the State; they will be responsible only to him, and answerable to his disciplinary powers.

Each Minister, in turn, will likewise only have to deal with a very restricted number of direct collaborators. At headquarters he will have under him:

- (1) Commissaries-General (answering to some extent to the former Under-Secretaries of State) and Secretaries-General (super-directors) for the ministerial departments that are under him personally.
- (2) Secretaries of State (without the rank of Minister) for the other ministerial departments under his authority.
- (3) One or more supervising bodies.

In the provinces the Minister will have only one collaborator, the prefect. "Commissaires du pouvoir" will be sent round to see that administrative officials respect the guiding ideas of the National Revolution.

The Chief of the State and the Ministers will be assisted by two advisory organizations. The National Consultative Council, composed of members appointed by the Chief of the State, will through temporary committees give advice on the fundamental problems of structure submitted to it by the Government. The Council of State, a permanent body, will give advice on bills, on *règlements d'administration publique*, and all questions that may be submitted to it by the Government; furthermore, it will take the initiative in suggesting reforms it may think desirable.

In all that concerns local administration of general and local business, pending the restoration of the ancient provinces, all powers will be concentrated in the hands of the prefects. In the free zone economic questions and the police will be under regional prefects acting through prefects of *départements*; other questions in the free zone, and all questions in the occupied zone, will be under the latter.

The executive agents of the prefects will be the mayors and municipal councils, both being appointed in the important communes, or subject to dismissal or removal in the others.

Independently of these political or administrative organs the whole social and economic organization of the country will be concentrated in single bodies for each trade or profession, placed under the direction of the ministers at the centre, locally under the

prefects. These bodies will have power to make regulations and impose discipline. All their directors will be appointed by the Government.

The administrative machine being thus strongly framed, the Government will rely upon two groups which, in default of elections or referendums, will keep it in touch with the country. These are the 'Comité de Rassemblement pour la Révolution Nationale' and the 'Légion Française des Combattants.'

Equipped with these instruments of action the Chief of the State will be able to put the programme of the National Revolution into operation. It will rest essentially on the restoration of individual and family worth, and next upon a preliminary policy of 'purging' the population.

A first undertaking will consist of the elimination from the national community of all those unworthy to belong to it—for example, Jews, French citizens recently naturalized, and Frenchmen who have joined General de Gaulle. After that there will be manufactured genuine Frenchmen, physically and morally strong through the development of sport, the new trend given to education, the rehabilitation of religion, the enhanced importance of the family.

A second undertaking will then be to ensure for individual merit the place it deserves. Only work and its results will henceforth count for advancement in the social hierarchy. All Frenchmen will have to become thoroughly penetrated with the idea that the advantages of fortune or birth must no longer play any part in the life of the country. Everybody will have to work, but the State will provide work for everybody.

What work will that be? Having regard to the qualities of her people and the wealth of her soil, France will have to turn herself principally and essentially towards the developing of her agricultural production. And France is to be built up again round the rural family and its work.

Hence we have a necessary endeavour by fair means or foul to attract new workers to agriculture and to increase the area of cultivation, to improve the conditions of life in the country, to assist the financing of farming schemes. And, alongside these measures, all agricultural production will be reorganized on a corporative basis.

As for industrial and commercial organization, circumstances make it necessary that it should pass into the absolute control of the State. It is the State's mission to see that production corresponds to consumption needs, that the goods produced are fairly distributed between rich and poor, that the trusts do not upset the balance of prices for the benefit of private interests. The whole

control of production and distribution will therefore come into the hands of all-powerful bodies, which will organize the economic system of the country with regard only to its general interests.

This edifice will finally be crowned by the setting up of a monetary system adapted to the needs of the State and of the nation's economic life. The bank-note will cease to represent a certain quantity of gold. Henceforth it will only serve as a common measure in the internal exchange of goods: abroad there will merely be clearing operations monopolized by the State without French currency playing any part.

A rigorous control of foreign exchanges and a severe control of prices will avoid a rise in prices at home and any devaluation of the national currency abroad.

II. Plan of this Book

Such appears to be the programme of the National Revolution to the study of which the second part of the present work is to be devoted.

This study will be divided into seven sections:

- The Strengthening of the State.
- The Purging of the Population.
- Work and Unemployment.
- The Return to the Land.
- The Planned Economic System.
- Money and the Budget.
- Supplies and Prices.

We must call attention to the fact that we have frequently been obliged to make what seems an unorthodox division of the subject-matter. It has in reality been imposed upon us by the necessity of presenting the problems as they offered themselves to the Vichy Government and not as in theory they should have done.

Thus the system of occupational groups will be treated under the section relating to the strengthening of the State; and in the middle of this same section the control of the Press and Radio will have to be linked with questions relating to the police. Thus again the policy of great public works and the legislation relating to war damages must be studied in the section devoted to the fight against unemployment. The regulation of supplies must be dissociated from the section dealing with the planned economic system, for it is inseparable from the problem of prices. In doubtful cases readers will please consult the alphabetical index.

Each section is essentially made up of a strictly objective survey of the legislation and regulations in force, preceded by general observations. In these observations we have endeavoured to

determine the essential principles adopted by the Vichy Government and criticize them briefly. But it is our intention above all to allow readers to appraise for themselves, by an examination of the measures adopted, the true value of the work of the Government.

All the texts analysed are furnished with precise references. And we desire to emphasize the fact that, with very rare exceptions which are always indicated, our only sources are the Vichy Press itself and the broadcasts from French stations. We have set aside all information from foreign sources, which might have seemed tendentious or biased.

PART II

THE LEGISLATION OF VICHY

SECTION I

THE STRENGTHENING OF THE STATE

GENERAL OBSERVATIONS

THAT the organization of the State in France needed strengthening admits of no doubt.

From the political point of view the parliamentary *régime* had been seriously warped. It is the Parliament's business to determine the general policy of the Nation, to settle the general principles to which private as well as public institutions should conform, and to supervise the actions of the Government. The moment Parliament tries to take the place of the Government, the moment the division of powers between the legislature and the executive ceases to be clear cut, when Ministers must spend their days in the lobbies of the Chambers instead of devoting them to the management of their departments, when Governments are overthrown for trivial reasons, the parliamentary *régime* gives place to anarchy.

The instability of the ministerial function destroys all authority of constantly changing Ministers over the permanent officials. The instability of the policy of the Government destroys the authority of the public powers over the country.

The normal working of democratic institutions was no less seriously warped by the diversion of the occupational groups or corporative societies from their true rôle. Occupational groups, whether of employers or workers, were bound, under the law, to concern themselves merely with the technical interests of their occupation or the business interests of their members. Both were transformed into political organizations, and using in one case the power of money, in the other the power of numbers, they acted powerfully upon the independence of the political power by substituting themselves for the only qualified representatives of the Nation. The same part was played by the ex-soldiers' associations which ought to have remained as friendly societies, but which all too often became political machines.

The place that non-political groups succeeded in attaining in

the country is perhaps explained by the decay of the political parties in France. A great democracy can govern itself only if a small number of great parties represent the essential shades of public opinion, as we find in the United States and in Great Britain. From the moment every politician has his party which represents nothing, or only himself, no government is any longer possible.

To govern, then, what is needed is on the one hand that the decisions of the public powers shall take the form of clear and simple enactments, easily understood by the citizens and easily applied by the public departments; on the other hand that the public departments shall be from every point of view under discipline. The incoherence and confusion of texts in France had attained their maximum degree just before the war; the officials, protected by their unions, and seduced from their duty by external pressures, no longer recognized any discipline.

Finally, the legal system, being antiquated, slow, costly, and subject to too many political or other influences, failed to check abuses.

Reform was therefore imperative, a reform that would permit parties and groups to play their proper part, but would prevent them from overstepping it, ensuring a clear-cut division of powers between Parliament and the Government, that would in short bring about the restoration of the Government's authority over its agents, and the working out and drafting of clear legislation.

Reform was imperative.

Instead of carrying it out within the framework of a parliamentary system restored to its true normal working, Marshal Pétain wanted to have this reform within the framework of a dictatorial system subject to no control.

The authority of his Government cannot therefore result from the freely expressed trust of the Nation or its representatives. We have seen elsewhere that neither can it come from the twofold stability of its doctrines and of the men charged with putting them into practice (see Part I).

The strength of the Vichy Government consequently can come only from the union of two conditions depending the one on the actual structure of the organs of the dictatorship, the other on the choice of the executives.

I. The Material Structure of the Dictatorship

The dictatorial system planned by Vichy rests on a combination of three principles:

1. The total nationalization of the country.
2. The concentration and decentralization of power.
3. Suppression of control.

1. NATIONALIZATION

To-day, when economics carry the day over politics, a purely political dictatorship would play no more than a secondary part in the life of the country. If it is to be really master of the Nation's destinies it must interpose in the whole organization of production and consumption, of social relations, and even of the private life of individuals.

The Vichy régime is a régime of complete nationalization. The State is the absolute master of agriculture, of industry, of trade, of transport. It controls the working of the occupational groups, of the youth groups, of the ex-soldiers' associations. It directs sport as well as charity, education, and the fixing of prices.

No one can now move a finger or utter a word without permission from the State. This domination of the State over private life has now extended to such things as shooting; nobody can now obtain a shooting-liscence unless he belongs to a *société départementale de chasseurs*, the president of which is appointed by a ministerial order (Law of June 28, 1941, No. 2673).

Parallel with its hold on the economic and material life of the country, the State secures its influence upon men's minds by subjecting the Press and Broadcasting to the severest rule they have ever known. The importance attached to the problem of news, or more exactly to the problem of suppressing news, is proved by the fact that the department concerned is placed under the direct control of the Vice-President of the Council.

2. CONCENTRATION AND DECENTRALIZATION

(i) *Concentration.* But the very multiplication of the powers of the State entails a ruthless concentration. In order that the Chief of the State may give his orders and have them carried out speedily it is necessary for the principal executive officers to be at hand; it is also necessary that they shall be few in number, so that his control may be effective.

Hence the new Government organization. The Chief of the State now has only a few Ministers with him, who are responsible to him for the preparation and the execution of his decisions. Each Minister is the master of one or more ministerial departments; when he has more than one department under him each is represented by a Secretary of State. In each ministerial department the administrative staffs are regrouped under secretaries-general or commissioners, so that the Secretary of State finally has only a small number of direct collaborators.

In so far as the Government has to deal with private activities,

these are represented by a single Committee for each branch of activity; a commissary of the Government dictates its decisions to the Committee.

(ii) *Decentralization*. But it is impossible for a central organization to supervise effectively and speedily the execution of particular measures throughout the whole territory. Hence the necessity for a decentralization. The Government's first idea was to carry out decentralization by setting up provincial and regional services, and that is what gave a warrant for the creation in every branch of private activity of regional organizations, which are the real executive agents of the central organization. From the administrative point of view, however, it was difficult to improvise provincial staffs to take the place of those of the *départements* without dislocating the working of all the services, and the Government was obliged at the outset to delegate its powers to the prefects of *départements*. It is only recently, and solely for economic questions and the police, that it has been able to appoint regional prefects. But in the hands of this decentralized power, the prefect, are concentrated all the services of his division, so that here decentralization and concentration go hand in hand. Furthermore, *commissaires du pouvoir* have been sent out into the provinces with full powers to see that the orders of the Government are carried out.

3. DISAPPEARANCE OF CONTROL

While setting up this organization that seems to place an instrument of effective action at the disposal of the Chief of the State, the Government of Vichy suppressed all control by abolishing all elected bodies. The political parties themselves have been replaced by one single party, while the trade unions were dissolved, or else placed under the control of the organizing committees.

II. The Defects inherent in the Régime

The *régime* as conceived by the Vichy theorizers suffers, however, from two serious defects.

On the one hand it does not bring into play the responsibility which is the necessary counterbalance to absolute authority and the suppression of all control.

On the other it is wholly incompatible with the present situation of France.

I. IRRESPONSIBILITY

The suppression of control is not in itself an evil in so far as it allows of swifter action on the part of the Government and the administration. It assumes however:

1. A selection of rulers and administrators entrusted with sufficient moral authority to make it appear that their decisions are not dictated by any considerations other than the public interest.

2. An immediate and ruthless arraignment of the individuals responsible in any case of misdemeanour, whether personal or departmental.

We shall see later that Marshal Pétain has not respected the first condition, and that the second is equally lacking.

Disciplinary sanctions have certainly been stiffened in every grade of the hierarchy, since they may be applied even to Ministers themselves. And through the economic and occupational organizations as well as the Légion française des Combattants they extend to practically all Frenchmen.

But in order that sanctions may play their allotted part it is further necessary:

- (a) that the persons properly responsible should be sifted out;
- (b) that the sanctions should be open and public; in other words, that on the one hand the 'guilty' individual should be in a position to defend himself publicly, and on the other hand the grounds for the punishment should be published.

Now the Vichy *régime* does not permit the proper assignment of responsibilities. With regard to administration, properly so called, the ceaseless shuffling of officials and agents makes it difficult to discover the individual responsible for any particular measure; most frequently there is a chain and tangle of decisions that involves too many responsibilities for it to be possible to fix a single real one. With regard to the economic organization, the corporate decisions of the Committees or Boards are in fact anonymous, and no one knows if it is their decisions which have been applied or those substituted by the Government commissary or by the Minister.

Higher up the official ladder there is the same situation. How can Ministers changed again and again in a few months be made responsible for their administration? And, indeed, the Marshal must have given up the idea, for he has imposed no penalty on any of the men from whom he had felt obliged to sever himself.

The Marshal himself is responsible only "before history"—which calls for no comment.

Many officials have, however, come under the rod. Every day the columns of the *Journal Officiel* are filled with names of agents relieved of their duties or declared to have resigned their posts. But all these decisions are taken in the most profound secrecy, and nobody knows whether they are founded on actual faults or purely political considerations. Thus the sanctions lose all the edifying character they ought to have.

The Vichy *régime* is thus one of irresponsibility.

And therefore it loses all authority and is exposed to the direst catastrophes. When no responsible person can be arraigned, and when the elected assemblies, which are the intermediaries between the Government and the man in the street or in the fields, have disappeared, popular wrath no longer finds any legal obstacle against which it may lose its edge. The dispute as to responsibility will be carried on direct between the Chief of the State, who is responsible before history, and the man in the street or in the fields.

2. IMPOTENCE

But there is something perhaps even more serious. By reason of the very situation of France the Vichy Government is smitten with congenital impotence.

It can of course multiply police measures and turn the detective force into a new Gestapo, to try every means to come down upon all who refuse to obey its decisions or bow to its caprices. It can put the whole country under the sign of the informer and take police 'narks' for its most valuable agents. It can turn the Police School into a National School on the same plane as the Polytechnic or the École Normale Supérieure. It can restore *lettres de cachet* under the name of 'administrative internment.' It can multiply political courts, and when they do not appear subservient enough it can arrogate to itself the right to pass judgment on the so-called guilty persons.

All this does not give it the requisite means of action. It has not enabled it either to bring out the stocks of agricultural produce, or to prevent the rise in prices, or to put an end to want, or to keep the name of 'de Gaulle' from appearing on every wall.

In the occupied zone the decisions of the alleged French Government are annulled and countermanded by the real rulers, the German military authorities.

And in both zones the Government is paralysed from the mere fact that it does not sit in Paris. At Vichy it has neither the buildings, nor the equipment, nor the means of communication and dispatch that are indispensable. France is not to be governed from a watering-place that is no more than a little country town. For the King of Bourges and the King of Navarre to become King of France they had first of all to return to their capital. "France," said the Marshal, in his speech on August 12, 1941, "can only really be governed from Paris. I cannot as yet go to Paris, and I will not go until certain possibilities have been offered to me."

Here the Vichy Government can do nothing—at any rate until the complete betrayal that will turn it into a Government of a German protectorate.

III. The Choice of Executives

After all, a tool is only as good as the hands that wield it. A good workman can sometimes get a satisfactory result from a bad tool, while a bad workman will never get anything from the best of tools.

Thus Marshal Pétain could not confine himself to creating institutions without concerning himself with the selection of men. And the more restricted the number of the individuals charged with the preparing and the executing of his decisions, the more essential was it that they should be chosen with the utmost care. Dictatorship cannot afford mediocrity in its instruments.

Marshal Pétain's personality must be left on one side. We need not here try to assess how far age may affect the lucidity of his ideas or his capacity for command. We must confine ourselves to observing that he enjoyed a moral authority that made it possible for him to exercise dictatorship.

In the eyes of the people of France Pétain had the advantage of the prestige attaching to the person of the defender of Verdun, the great soldier who appears as having sacrificed his well-earned rest to the task of saving his country, as having bowed before the conqueror to protect his threatened motherland against the greed of the enemy and the mistakes of its own Ministers. His simplicity and good nature drew the crowd to him, and there was also the people's taste for *panache* which in other days had swung them to Napoleon III and Boulanger. But in the eyes of the enemy Pétain remains Pétain; upon him alone depends the submission or the rebellion of forty million men.

But Pétain, admitting that he governs, does not govern alone.

Two methods of choosing his collaborators were open to him. The first, which would have seemed the more consistent for a Government one of the articles of whose programme is to give room only to work and talent, was to entrust the most important positions to those who displayed the most obvious merit.

The Marshal preferred to employ a second method, which consisted in giving posts only to those who were entirely devoted to himself, either because they were completely in his hands or because he was carrying out their policy. For Ministers he took officials; for heads of economic committees he took representatives of big capital. And all those who in any grade of the hierarchy

might represent any opposition, however slight, to the Government's policy, were relieved of their duties.

Pétain as dictator placed his own creatures everywhere. Since to bow unquestioningly to any and every order a man must have no personality at all, it was not the best civil servants who were given the best posts, still less those who would have had the most initiative in critical times.

This choice of agents is without a doubt one of the most important causes of the anarchy that characterizes the organization of the French State to-day. For this *régime*, which was to mean "authority and responsibility," is to-day nothing more than impotence, irresponsibility, and chaos, and to-morrow may be unrest and uprising.

French administration had already on the eve of the war, thanks to the ever-increasing complication of official texts and the multiplication of bureaucratic functions, become a sort of monstrosity. Even if it had merely been called on to continue to apply existing legislation it would have had to be completely renovated both in organization and in methods.

Yet it possessed a certain strength. From the very fact that its members were fixed and rooted in a routine far from propitious to rapid action, or to initiative and intelligence in its decisions, each one knew his business adequately. This administration could have coped with a crisis, even as it had been able to manage when deprived of part of its staff and resources by the mobilization.

What has been the result of the National Revolution?

At the top the Marshal installed officials instead of Ministers. Now governing and administering are two different trades. An administrator cannot suddenly turn into a statesman any more than a statesman can turn into an administrator. The one lacks the political inspiration that would teach him what he wants without his having to exercise himself over contingencies of a material kind, which can in any case be removed; the other lacks the technique and a sufficient understanding of material contingencies to be able to deal with them. If the substitution of officials for men of ministerial calibre provided the Marshal with more docile instruments it has also given him ill-adapted ones.

Pétain himself was obliged to recognize this in his Grenoble speech (March 19, 1941): "This will to command and to take the initiative for aims that we are pursuing, I would like to inspire it in all who take a share in the government or who hold any particle, however small, of the authority of the State." How much bitterness there was in these words! But why then gather round him Bouthillier, Berthelot, Carcopino—excellent clerks—Huntziger, Colson, Bergeret, and Platon—good soldiers? Not

one of them has the vital dynamism, the vigour, the sense of government that make a statesman.

And then it happens that very largely the moral authority of the Ministers is in inverse ratio to that of the Marshal. Every time the country puts more trust in Pétain it puts less in his Ministers.

This deficiency in ministerial strength would still be nothing if it had been possible to fill all high administrative posts with great officials. Now, after the purging of the Council of State and the great departments, the Government found itself with still fewer capable men at its disposal than the previous *régime* could command. When it had exhausted the lists of the men left over from the Council of State it was forced to appoint anybody available to any post that was open. We have only to turn to the list of prefects to see that this is so.

And while it was starved of capable heads the administration was obliged to spread and expand in an incredible fashion. For besides the new State departments properly so called, it must be realized that all the committees and offices created for all branches of activity are so many new departments. Now if the old officials have some difficulty in applying new confused texts of rules and instructions, what can be said of all these new departments without traditions and without system? The amount of overlapping of functions, hiatuses, conflicting activities, is beyond computing. Everything is paralysed and incoherent. "France," admits Marshal Pétain on August 12, 1941, "can only be governed if the exactness and fidelity of the transmitting instruments correspond to the impetus given by the leader." That exactness and fidelity are still lacking.

As long as the mystical doctrine of the National Revolution persists, that is to say as long as Frenchmen retain the inferiority complex that springs from the spirit of defeat, this may go on somehow or other. The daily effort of the Government is bent upon inculcating in the French that they are responsible for all their misfortunes and that they ought to do penance with self-flagellations. No catastrophe is punishment enough. And all must uncomplainingly endure the thousand and one daily troubles whose sum-total will, under cover of the National Revolution, allow the revival of France. Thus each consecrates to the country the sufferings he endures.

But on the day when the French people perceive that the situation is vastly aggravated by the incapacity of their rulers, the day they perceive that their souls are filled with defeat only because they have accepted defeat, on that day the position is likely to become tremendously serious.

When a people realizes the existence of misconduct it seeks to

discover those who are responsible. The strength of the democratic system, whatever its detractors may like to think, is precisely that when it is not perverted in its working it allows the arraignment of those who are responsible.

Pétain, open your ears to the murmurs that rise from the street, from the workshops, from the fields. . . .

Chapter I

THE POLITICAL RÉGIME

THE Third Republic, which was born on September 4, 1870, on the morrow of the capitulation of Sedan, lived for seventy years. It died on July 11, 1940, a month after the military crushing of France. Born of one defeat, it could not survive another. It had succeeded the Bonapartist Empire; it now gives place to a new Bonapartism up to date.

It is necessary that we should analyse the mechanism and working of the three organs of government that have been retained. They are the Chief of the State, the Government, and the Consultative Assemblies.

I. The Chief of the State

1. METHOD OF APPOINTMENT

Philippe Pétain, Marshal of France, himself declared that he "assumed the functions of Chief of the French State" (Constitutional Act No. 1 of July 11, 1940).

He is irremovable.

The succession has been laid down and modified by successive Constitutional Acts, No. 4 and others, dated July 12, September 25, December 13, 1940, and February 10, 1941. Admiral of the Fleet Darlan took Laval's original place as 'Dauphin.' Failing the Admiral and pending ratification of the new Constitution, the successor to the Chief of the State would be appointed by the Council of Ministers, which would be in power during the interregnum, by a majority vote.

2. PREROGATIVES

The Chief of the State is invested with all powers except that of declaring war without "the previous consent of the Legislative Assemblies" (Constitutional Act No. 2 of July 11, 1940).

He holds the constituent power by virtue of the Constitutional Law of July 10, 1940, which was passed by the Vichy National Assembly, and which we have already examined (see Part I):

He exercises the legislative power, in the Council of Ministers,

1. Until the formation of the new Assemblies.

2. After their formation, in cases of external tension or a serious internal crisis, upon his sole decision and in the same form. In the same circumstances he can decree all fiscal and budgetary measures (Constitutional Act No. 2, July 11, 1940).

The Chief of the State has also "full governmental power" (*ibid.*). In particular he appoints and dismisses Ministers and Secretaries of State, who are responsible to him alone, promulgates laws and ensures their execution, appoints to all civil and military posts, has the armed forces at his disposal, has the right of pardon and amnesty, negotiates and ratifies treaties, and can declare a state of siege. The ambassadors and envoys of foreign Powers are accredited to him (*ibid.*).

3. EXECUTIVE MEANS

Being invested by the laws of the country with the constituent, legislative, and executive powers, the Chief of the State issues his orders by means of laws or decrees. The legislative output of the Vichy Government is in fact considerable in amount. The number of texts promulgated is only exceeded by their incoherence and inconsistencies. It should be noted that though the legislative texts are entitled 'laws,' they have the shape of decrees; the executive clause reads as follows: "The present decree will be published in the *Journal Officiel* and executed as a law of the State."

The Chief of the State has also two new means of Government action. On the one hand he exercises disciplinary powers at discretion over Ministers and high officials, and we shall revert to this later. On the other hand he has the unconscionable right to put under administrative internment, for unlimited periods, without safeguards, and without any possible appeal, all "individuals dangerous to the National Defence or public security." (See Part II, Section II, chapter ii.)

Finally we must add that in strict fact the judicial power is completely at the disposal of the Chief of the State. This is due to the fact that:

1. He appoints and dismisses the magistrates.
2. He freely creates new jurisdictions and procedures, even with retrospective effect when he thinks proper. (See Part II, Section I, chapter v.)

In fact, Marshal Pétain behaves like an absolute monarch. We shall only mention incidentally, to indicate his position exactly, that Ministers take an oath of fidelity to "his person," that stamps and coins are issued with his effigy, and that he has a personal guard of honour and a personal flag.

We should, however, note that the Marshal's speech of August 12, 1941, seems to mark a serious modification in the rôle of the Chief of the State. He has actually increased the powers of Admiral Darlan, the Vice-President of the Council, and declared: "To the members of the Government around me I shall leave the necessary initiative." He stated in so many words that he would confine himself to laying down "in certain spheres" the general lines of Government action.

The Chief of the State accordingly exercises a dictatorship only in theory since that date, the real dictatorship being assumed by the Vice-President of the Council.

4. IRRESPONSIBILITY

What are the circumstances in which the Chief of the State can be called on to answer for his acts before the Nation? So far no procedure has been provided: the National Consultative Council is not competent; a referendum does not seem to have been contemplated. And we know all too well the value of a plebiscite held in a country completely totalitarian, without a Press, and in which the informer's trade has become part of the system of government.

Hitherto Marshal Pétain has confined himself to pronouncing broadcast speeches or addressing 'messages' to the country, but has never given the country an opportunity of expressing its opinion. Indeed he has declared that he is responsible not to the Nation but "to history."

Thus the responsibility of the Chief of the State can be arraigned only by a popular rising. There are cases when a rising is legitimate. A government system that has no other check but this is condemned.

II. The Government

1. STATUS AND POWERS

The members of the Government are appointed and removed by the Chief of the State (Constitutional Act No. 2 of July 11, 1940). They are responsible to him alone for their stewardship, and he can mulct them in damages or fines, put them under house arrest, or have them administratively interned or detained in a fortress, and all without prejudice to any judicial proceedings that may lie against them for their crimes or misdemeanours (Constitutional Act No. 7 of January 27, 1941).

The very organization of the Government has been several times modified. The law of September 6, 1940, which is the authoritative text in the matter, has not escaped the general rule according

to which all the Vichy texts are constantly being recast or revoked. It was in part abrogated and replaced by the law of February 10, 1941. It did not provide a President of the Council of Ministers, whose duties were assumed by the Chief of the State, but a Vice-President; the various public departments were to be distributed among twelve 'Secretaries of State,' of whom only eight ranked as Ministers.

In fact the Vice-Presidency of the Council was done away with at the time of Laval's exclusion from the Government (December 13, 1940), but was re-established for Admiral Darlan. A Secretariate of State attached to the Office of the President of the Council, created by a law published on November 2, 1940, for Baudoin, was abolished when he resigned (January 3, 1941), but later two Secretariats of State were created (June 10, 1941), and again one was abolished. The latest changes date from July and August 1941.

The names of the ministerial departments have been constantly changed, and are of little importance. What is interesting to observe, and what is really original in the system, is that—

1. Only certain Secretaries of State (at present eight) rank as Ministers and have a place in the Council of Ministers presided over by the Chief of the State.

2. The other Secretaries of State in principle only have a place in the Cabinet Council presided over by the Vice-President of the Council, and are heard by the Council of Ministers, with power to speak and vote, only when Bills relating to their department are under examination.

3. The Secretaries of State who are not Ministers have power to sign Acts relating to the affairs of their own departments, but for all questions involving decisions on principles or touching upon the general policy of the Government they are responsible to a Minister.

4. There are no Under-Secretaries of State, but two Delegates-General: one for Franco-German economic relations, and the other for National Equipment.

The Vice-President of the Council directs and co-ordinates the actions of Ministers and Secretaries of State, presides over the Cabinet Council, as has been mentioned, and upon occasion over the Council of Ministers, but "in that case he must report to the Chief of the State on the Council's deliberations." The Secretariate of Information, the Press and Radio (*sic*), is responsible to him direct, as well as the Office for Jewish Affairs. So also is the Delegate-General of the Government (General Weygand) in French Africa (Decree published August 5, 1941).

2. MINISTERIAL CHANGES

Since June 15, 1940, the Government presided over by Marshal Pétain has been subject to many reshufflings. The various portfolios have been successively entrusted to the individuals shown in the list given below, and it may be noted that the names of the ministerial departments have also been changed several times.

(a) PORTFOLIOS EXISTING FROM THE FIRST

1. *Presidency of the Council*: Marshal Pétain (June 15, 1940).
2. *Vice-Presidency of the Council*: Chautemps (June 15, 1940); Laval (June 23 to December 13, 1940); Admiral Darlan (February 9, 1941).
3. *Justice*: Frémicourt (June 15, 1940); Alibert (July 11, 1940); Joseph-Barthélemy (January 27, 1941).
4. *The Interior*: Pomaret (June 15, 1940); Marquet (July 11, 1940); Peyrouton (September 6, 1940); Admiral Darlan (February 24, 1941); Pucheu (July 19).
5. *Foreign Affairs*: Baudoin (June 15, 1940); Laval (October 28); Flandin (December 13); Admiral Darlan (February 9, 1941).
6. *National Economy and Finances*: Bouthillier (June 15, 1940).
7. *National Defence*: General Weygand (June 15, 1940); General Huntziger (September 6, 1940); Admiral Darlan (August 12, 1941).
8. *War*: General Colson (June 15 to September 6, 1940); General Huntziger (August 12, 1941). Deceased, but not yet replaced (December 1941).
9. *Navy*: Admiral Darlan (June 15, 1940).
10. *Air*: General Pujo (June 15, 1940); General Bergeret (Sept. 6).
11. *Education*: Rivaud (June 15, 1940); Mireaux (July 11); Ripert (September 6); Chevalier (December 13); Carcopino (February 24, 1941).
12. *Agriculture (and Supplies)*: Chichery (June 15, 1940); Caziot (July 11).
13. *Colonies*: Rivière (June 15, 1940); Lemery (July 11); Admiral Platon (September 6).
14. *Communications*: Frossard (June 15, 1940); Piétri (July 11); Berthelot (September 6).
15. *Industrial Production*: Février (June 15, 1940); Pomaret (July); Belin (July 11); Pucheu (February 24, 1941); Lehideux (July 19).
16. *Family*: Ybarnégaray (June 15 to September 6, 1940); Chevalier (February 24, 1941); Serge Huard (August 14).

(b) NEW PORTFOLIOS

1. *Minister of State in charge of the co-ordination of the new institutions*: Henry Moysset (August 12, 1941).

2. *Minister of State, delegate of the National Council attached to the Chief of the State:* Lucien Romier (August 12, 1941).
3. *Secretariate of State attached to the Office of the Vice-President of the Council:* Benoist-Méchin (June 10, 1941).
4. *Labour:* Belin (February 24, 1941).
5. *Supply:* Achard (February 24 to July 18, 1941), Charbin (August 11, 1941).

(c) PORTFOLIOS SUPPRESSED

1. *Secretariate of State attached to the Office of the President of the Council:* Baudoin (from October 28, 1940, to January 31, 1941); Henry Moysset (June 10 to August 12, 1941).
2. *Under-Secretariate of State attached to the Office of the President of the Council:* Alibert (June 15 to July 11, 1940).
3. *Refugees:* Schumann (June 15 to July 11, 1940).

It will be observed that Darlan, besides being Vice-President of the Council (with eventual succession to the Chief of the State), holds the portfolios of Foreign Affairs, the Navy, and National Defence (with control of the War Office and the Air Office), and has authority over the Secretary of State for the Interior.

III. The Consultative Assemblies

The Chief of the State and his Ministers have the assistance only of two *consultative* assemblies, one of which, the Consultative National Assembly, is chiefly for show, while the other, the Council of State, is effectively active.

The essential characteristic of the ‘provisional’ régime now in being is the disappearance of the elected Parliamentary Assemblies.

The constitutional acts promulgated hitherto do not provide for the establishment of new Assemblies.

As for the old Assemblies, they have not in point of law disappeared, for they “shall continue to exist until the Assemblies provided by the Constitutional Law of July 10, 1940, shall be formed” (Constitutional Act No. 3 of July 11, 1940). But they are adjourned until further orders and are prohibited from meeting unless convoked by the Chief of the State (*ibid.*). They retain only one power—to authorize the Chief of the State to declare war (Constitutional Act No. 2 of July 11, 1940).

Since for a certain number of years it has become the habit to make war without a ‘declaration,’ the Senate and the Chamber of Deputies in practice have no longer any function. Their members continued for more than a year to draw their parliamentary salary. Thus the French State was paying some nine hundred senators or deputies whose sole business would be to authorize a futile and unnecessary declaration of war. This did not fail to provoke

certain protests (including a broadcast address by Roland Tessier, Radio-Paris, June 9, 1941). Faced with these protests the Government decided to suppress, as from October, the payments to Members of Parliament (Law published August 12, 1941) and their free railway passes (Order published August 16, 1941).

If the Vichy Government retains a theoretical Parliament under these conditions, the reason would seem to be in order to keep up a semblance of constitutional legality for the new régime. In the preamble to the Constitutional Law of July 10, 1940, it was stated that "the Government will have the collaboration of national representative institutions which will play their normal part along with it" (see Part I). Another reason would be because, on the one hand, the Government seeks to prevent the nine hundred fallen Members of Parliament, who have retained a certain prestige and authority in their constituencies, from stirring up a campaign against it, and because, on the other hand, it continues to draw largely from parliamentary personnel for the needs of the new régime. More than a third of the members of the Consultative National Council belonged to the old Parliament. It has been necessary to authorize members to hold several temporary offices in plurality for periods of six months (Law of February 21, 1941).

A law published on August 29, 1941, transferred the offices and services of the Chambers from Vichy to Châtelguyon, and prohibited all meetings, even unofficial, of the Members of Parliament in the département of the Allier. MM. Jeanneney and Herriot, the Presidents of the Chambers, protested against these measures in vain.

The Government would still, however, seem to intend to create new Assemblies later.

An article in *Le Temps* of October 10, 1940, recalled that "to be completely strong and free a Government, on pain of exposing itself to the worst hazards, must be in the closest contact and most intimate relations with the country. . . . To an extent that does not rest with us to determine, the institutions of the new France must undoubtedly include an elected element: in the absence of a party that can legitimately claim to express the innermost desires and will of the nation there is in reality no other valid method of securing the indispensable bond that must exist between the Government and the governed."

An officially inspired note of November 20, 1941, states clearly that the representation of the Nation in the future Constitution would probably be through representatives of qualified occupational organizations "appointed by ballot" as well as by "persons of note" chosen for services to the country.

Le Temps stated again, on January 27, 1941, that the Con-

sultative National Council would assist the Chief of the State "until the moment when there is definitely organized a national representation which only the Constitution can organize, and which will then take the place of the present Assemblies now on leave."

It seems that the Vichy Government is inclining towards creating a Senate as well as the Consultative National Assembly. The Committee of the Assembly now studying the reform of the Constitution would seem to have come to the conclusion that there can be no question either of abolishing the Republic or of maintaining a dictatorship in France.

I. THE CONSULTATIVE NATIONAL COUNCIL

The Consultative National Council was created by the law of January 22, 1941. In theory it is destined to take the place of Parliament during the abeyance of that body, but it has neither its powers nor its prerogatives.

Of the Members of the Council some were to be elected by the legislative, departmental, municipal, and vocational assemblies, and the others appointed. In point of fact the Council to-day includes none but appointed members. Their number is not fixed; a first batch included 188 names, of which 70 were those of Members or ex-Members of Parliament; there have since been resignations or refusals to serve, but, on the other hand, four new Moslem councillors have been nominated.

The Council, contrary to the provisions of the law establishing it, has no President. Its Secretary-General is Admiral Fernet. Its representative in the Government, who ranks as a Minister, is Lucien Romier.

The Council's functions were defined by a decree of March 22, 1941. It has a purely consultative rôle, and will probably never meet in plenary session. Only its committees, composed of 10 to 25 members, will have meetings; the members of these committees, who give their decisions upon a written report, are nominated by the Government and need not belong to the National Council. The Ministers have access to the National Council and can appoint Government Commissaries to watch the course of business.

In reality "the National Council is more technical than political in character, even though it does not aim at forming a kind of corporative chamber. It resembles rather an assembly of notables" (*Le Temps*, January 27, 1941).

According to a law of March 22, 1941, the quality of National Councillor is not incompatible with the holding of any public office or the exercise of any profession. Councillors, who accord-

ing to the original text were to receive the same salary as Councillors of State, will now be paid only for the actual period for which their services are called upon.

2. THE COUNCIL OF STATE

But the real consultative Council of the Government, the one called upon to play a predominant part in the life of the new régime, is not the Consultative National Council, but the Council of State.

From the very beginning of the National Revolution the Legislative Section of the Council of State, which had been abolished some years earlier and been replaced by a Labour Section, had been re-established (Law published August 21, 1940). The new régime of the Council of State, which is extraordinarily like that it had known under the First Empire, was fixed by the Law of December 18, 1940 (modified by a law published on August 27, 1941), and the *règlement d'administration publique* of January 7, 1941).

(i) *Organization.* - The Council of State presided over by the Keeper of the Seals, the Secretary of State for Justice, includes a Vice-President, five Presidents of Sections, thirty-six Councillors of State "en service ordinaire," forty "en service extraordinaire," of whom fifteen to twenty—this is essentially an innovation—are chosen among "persons distinguished in the various spheres of national activity" (the artistic, intellectual, and economic life of the Nation), forty-three Maîtres des Requêtes—legal advisers—and fifteen Auditors of the first and twenty-five of the second class.

The Council of State sits at Royat.

It contains five sections:

1. A Legislative Section (Présidence du Conseil, Justice, Foreign Affairs).

2. Three Administrative Sections:

(a) The Interior, Education, and the Fine Arts.

(b) Finance, War, Navy, Air, and Colonies.

(c) Agriculture, Supply, Industrial Production, Labour, and Communications.

3. A Legal Section.

A serious purge allowed the Government on the one hand to hold a series of competitive examinations for second-class auditors, and on the other hand to bring into the Council of State numbers of outside persons.

The members of the Council of State take an oath of fidelity to the Chief of the State in conditions which will be examined later (see Chapter IV, The Civil Service).

This has not prevented the Council of State from presenting to the Government in September 1941 'remonstrances' with reference to the new judicial legislation.

(ii) *Collective Duties.* The Council of State has legislative, administrative, and legal duties.

In the legislative sphere the Council of State:

- (1) Takes part in the making of laws under conditions laid down by the Constitution.
- (2) Prepares and drafts texts as requested or gives its advice on Bills drawn up by the Government (notably after examination by the Consultative National Council).
- (3) On its own initiative calls the attention of the public powers to reforms in legislation or regulations that appear to be in the national interest.

On the administrative side the Council of State has the duty of advising on all projected *règlements d'administration publique* and, if required, on all questions and drafts of decrees submitted to it by the Government.

In the legal sphere it remains the supreme administrative jurisdiction.

(iii) *Individual Duties.* Independently of their collective functions a considerable number of Members of the Council of State have been called upon to perform many outside duties (Articles 2 to 8 of the Decree of January 7, 1941, are devoted to this question). Not only do they, as in the past, take part in the work of the great committees, or assume the duties of Private Secretary (*directeur du cabinet*) to Ministers, but they also assume the duties of Secretaries-General to Ministries, of Heads of Departments and Prefects.

Others form part of the delegations appointed to the Armistice Commissions. Others again preside over or are present at the deliberations of the great committees, such as those dealing with denaturalization and denationalization.

Others again are legal advisers to the Orders of Architects and Doctors created by the Vichy Government.

Chapter II

THE POLICE

HONOUR where honour is due! In the Vichy *régime* the most important organization after the Government is the police; accordingly we shall continue our study with an examination of the organization of the French "Gestapo."

The principal measures adopted relate to:

1. The organization of the police.
2. Traffic and travel.
3. Foreigners.
4. Freedom of public meeting.
5. Administrative internment.
6. The censorship.

I. Organization of the Police

The essential measures with regard to police organization were taken at the initiative of Admiral Darlan, who "wished to give the country a new instrument indispensable for ensuring law and order," and who means by new measures to endow the police with improved and perfected equipment, especially the means of transport and communication indispensable for the carrying out of its duties (Radio-Paris, May 7 and 28, 1941).

1. CENTRAL ADMINISTRATION

The organization of the central administration was established by a law published on May 6, 1941, and supplemented by a number of decrees or orders of the same date (also by an order published on June 7, 1941).

The police departments are placed under the authority of the Secretary of State for the Interior and directed by the Secretary-General for the Police.

All these departments are organized by the *Direction générale de la police nationale* (taking the place of the *Direction générale de la sûreté nationale*), which includes:

- (a) The Secretary-General's office, including the central records office and the motor department.
- (b) The administrative staffs.
- (c) The general control of the police departments.

- (d) The department of the judicial police.
- (e) The department of public safety.
- (f) The department of general information.
- (g) The National Police School.

The National Police School thus referred to was created by another law published on May 6, 1941. It is intended to form the officers of the French police by giving them general culture (*sic*) and the professional training indispensable to the exercise of their functions. The school is divided into an "École supérieure de police," for training police commissaries, and an "École pratique," for training inspectors.

What shows the place held by the police in the new *régime* is the fact that the National Police School "takes rank among the great national schools." This is a reform that must be fully appreciated by the students of St-Cyr, the Polytechnic, the École Normale, the Ponts et Chaussées, and the École des Mines. The director of the school is a rear-admiral.

It will be observed also that the programme of the "Higher School" includes the study of the political, administrative, judicial, economic, and social organization of France in the seventeenth and eighteenth centuries (Radio-Lyon, May 13, 1941).

The regulations with regard to the recruiting of officials and constables of the national police were the subject of a long decree issued on June 4, 1941.

2. LOCAL POLICE SERVICES

Local police services are under the authority of the prefects.

By virtue of the Law published on May 6, 1941, the territory of the non-occupied zone is divided for police organization into regions. The prefect of one of the *départements* in the region has charge of the police in the whole region. He is assisted either by an "Intendant de Police" or, if the size and importance of the region justify it, by two intendants, who may have different places of residence. The intendants are chosen from the staff of the prefect's administration (the number of which was originally fixed at nine by a decree of the same date).

The regional prefect has under him four departments as follows:

- (1) A Secretary-General's office for the regional police departments.
- (2) A department of judicial police.
- (3) A department of information.
- (4) A department of public safety composed of one or several mobile squads.

Each region is divided into districts, one for each *département*,

placed under the authority of the prefect of the *département* and ~~the~~
by a *commissaire chef de district*. The districts are themselves divided
into police divisions managed by a *commissaire central* or a *com-
missaire de police*.

Independently of these general arrangements, steps were taken to proceed to bring under State control the municipal police of Toulouse and its suburban communes (*Journal Officiel*, December 2 and 31, 1940, and May 5, 1941); of Vichy, Cusset, and Bellerive (*Journal Officiel* of February 1, 1941).

But Admiral Darlan announced that this measure would be extended to all cities of more than 100,000 inhabitants (Radio-Paris, May 7, 1941).

We must note, besides, the creation of police for the supervision of camps and groups of foreigners, of guards of communications to watch over bridges and viaducts and tunnels; in short, of an economic police (Law and Decrees of January 23 and March 15, 1941).

II. Identification Papers and Travel Permits

I. IDENTIFICATION PAPERS

A law published on November 21, 1940, instituted the 'Carte d'Identité de Français.' By virtue of this law every French man or woman over sixteen can establish his or her identity only by producing this card, which is valid for ten years and subject to a tax of seven francs. These provisions do not apply to mobilized men, nor in peace-time to professional soldiers.

Besides the identity card a *permis de séjour* is indispensable in the region of Vichy, Bellegarde, and Cusset (Communiqués of January 10 and 14, 1941). A considerable number of persons have thus been obliged to leave this region in January and February 1941: on the 16th of February 1338 persons were refused the permit, while more than 6000 had "gone of their own free will" (*Le Temps*, February 17, 1941). At the same time measures were taken to allow persons to take a course of baths, between June 15 and September 15, 1941, not exceeding twenty days (Radio-Paris, May 24, 1941).

By virtue of a law published on August 1, 1941, the Secretary of State for the Interior can:

- (1) Order the removal from their homes of any persons whose presence is undesirable from the point of view of the maintenance of law and order.
- (2) Prohibit certain individuals from access to places where their presence is similarly undesirable.

A communiqué of September 16, 1940, laid down the formalities with regard to obtaining a *passport visa*.

2. TRAVEL

A decree of September 25, 1940, abolished the B.C.M.C.—the *Bureau central militaire de circulation*—and transferred the whole policing of travel, both abroad and at home, to the Secretary of State for the Interior (*Direction générale de la police nationale*).

The general regulations in force are as follows:

- (1) For French subjects there is complete freedom of movement—except for restrictions on the movements of motor-cars—but it is compulsory to give proofs of identity and nationality on demand.
- (2) Foreigners are prohibited from travelling outside the commune in which they are resident without a travel pass in due form. In the departments of the Alpes-Maritimes and Corsica, however, the zone of free travel covers the whole department (Ministerial *arrêtés* published on May 5, 1941, and May 14, 1941).

Forgery of the travel permits compulsory for foreigners is severely dealt with (Law published May 18, 1941).

Travel regulations are stricter where the occupied zone is concerned (Law of March 5, 1941).

To cross the demarcation line from free France into occupied France by rail, travellers must be furnished with a pass from the German Military Bureau, except for officials provided with a service warrant from the Minister of the Interior. The following are not allowed to enter: Jews, Poles, Czechs, Moroccans, negroes, natives of Martinique or Indo-China, or “coloured persons” (announcement in the *Pétit Parisien*, September 27, 1940). Passes from the occupied zone to the prohibited zone can be granted only for journeys “absolutely necessary for business reasons” (Municipal Bulletin of the City of Paris, November 14, 1940).

The same rule was applicable for journeys between the occupied zone and the free zone, but under the Hitler-Darlan agreements of May 7, 1941, its working was greatly eased. Passes are now granted for burial or exhumation of near relatives, in cases of serious illness, for marriages or births, for settling inheritances, for reasons of health, etc. According to the nature of each case applications are addressed to the Kommandantur, the Prefecture of Police, or the Mairie. The number of points where crossing is permitted is restricted (Communiqué of the General Delegation in Occupied Territory, Radio-Paris, June 13, 1941).

Conditions for movement of motor vehicles are laid down by a law published on August 30, 1940, and by an inter-ministerial *arrêté* of August 29, 1940, modified by an *arrêté* of December 2, 1940, and a new *arrêté* of August 1941.

No motor vehicle—except those belonging to members of the diplomatic corps and agricultural tractors—may make use of the public highway without being in possession of a licence. Licences are granted for vehicles of the administrative departments by the Secretaries of State; for military vehicles by the regional commandants; for other vehicles by the prefects. They are certified by a special document known as an ‘autorisation de circuler’ affixed upon the windscreen.

The only vehicles entitled to this licence are those strictly indispensable for the work of the public departments or for the public service, the supply departments and firms engaged in work essential for the life of the country, and only for such transport as cannot be carried on by other means (railway, tramway, motor-bus, etc.). The licences state clearly the itineraries or zones, the times, and the period for which they are valid.

Licences to travel are not valid for Sundays, nor between 9 P.M. and 5 A.M., with exceptions relating to certain transports of provisions or industrial traffic, to police cars, fire brigades, cars belonging to doctors, ministers of religion, vehicles with gas generators or running on coal gas, electric cars, and bicycles.

Unless by special exception authorized by the Secretary of State for Communications licences to travel cannot be granted to touring cars of more than 13 horse-power driven by petrol or diesel oil.

These various measures correspond to a decrease in motor traffic, already reduced through the rationing of petrol, by nine-tenths (Communiqué of August 2, 1940).

Producer-gas cars are subject to special regulations.

A decree published on October 10, 1940, ordered a census of all motor vehicles.

A law of March 5, 1941 (Corrigendum published April 17), altered the rules of the highway code for the occupied zone, in particular with regard to speed limits, priority for German vehicles, lighting, bicycle traffic.

III. Policing of Foreigners

See Part II, Section II, “The Renovation of the Population.”

IV. Freedom of Public Meeting

Two laws were published on August 1, 1941, the one tightening the regulations dealing with demonstrations on the public highway, the other making any public gathering subject to previous notification (at least five days before the proposed date). The

police authorities can prohibit any gathering by an order, setting out reasons.

By virtue of a law published on August 12, 1941, private meetings organized by political parties or groups are treated similarly to public meetings.

V. Administrative Internment

A law published on September 4, 1940, in the *Journal Officiel* brought in administrative internment, in other words the revival of the *lettre de cachet* of the olden days.

By virtue of this text, until the date of the legal cessation of hostilities, individuals dangerous to the national defence or public safety may, under a decision taken by the Prefect "in conformity with the instructions of the Government," be administratively interned in a special institution.

An official communiqué of October 3 laid down that "there is in law no connexion between this political (*sic*) procedure and either the juridical action of the Supreme Court sitting at Riom, or the eventual action of the Court Martial, which does not exclude the possibility of a subsequent connexion should the Supreme Court and the Court Martial, deciding in complete independence of each other, believe it to be their duty to establish one."

Among those subjected to administrative internment were MM. Dormoy, Moch, Grumbach, Pomaret, Martel, P. L. Weiller, Bloch, Phillippe, Schrameck, Odin, Weil-Curiel, A. Naud, Nordmann.

The political prisoners originally interned at Pellevoisin were transferred in February 1941 to Vals-les-Bains, where they have the benefit of less rigorous treatment. Some have been set free.

A law published on July 1, 1941, extended the system of administrative internment to include persons whose acts were inimical to the price policy of the Government or endangered the country's supplies.

VI. The Press and Broadcasting

The censorship of news, written, filmed, and broadcast, is exceedingly rigorous. Censorship is extended even to "works of art representing the features of the Chief of State" (Decree of January 21, 1941, modified by Decree No. 3122 of July 18, 1941).

1. PRINTED NEWS

During the first nine months of Marshal Pétain's dictatorship he allowed the existing preventive censorship to continue, merely

strengthening its prohibitions. The preventive censorship was raised in the first instance for correspondents of the foreign newspapers, except with regard to dispatches relating to the Chief of the State or affecting the safety of the State (Reuter, January 25, 1941), then for the whole Press of the unoccupied zone (Statement by the Secretary-General of the Ministry of Information, *Le Figaro*, March 9, 1941).

The system of the repressive censorship, directed to-day by Antoine-Marie Piétri, assisted by René Vallet, is singularly like the German system. It would be a serious mistake to think that it is more liberal than the one it succeeded. The newspapers are still bound to conform to orders equally strict. The *Jour* was suspended from April 23 to April 27, 1941, *Figaro* on April 28 and 29, and again in June, the *Mot d'Ordre* and the *Tribune Républicaine* at the end of April. *Temps Nouveaux*, a Catholic weekly published in Lyons, was suspended in May for four weeks.

When the *Maison de la presse parisienne* was opened in Lyons, on April 18, 1941, Paul Marion, the Deputy Secretary-General to the Ministry of Information, made this formal declaration: "By order of the Government I demand complete uniformity with reference to foreign problems. Newspapers that disobey these orders will render themselves liable to the severest penalties."

If a periodical publication is suspended all salaries and wages must continue to be paid (Law published June 20, 1941).

In spite of the severity of the system certain papers nevertheless allow the real feelings of the French people to show between the lines. This is true of the *Temps*, the *Jour*, and *Figaro*. On March 30, 1941, Wladimir d'Ormesson in *Figaro* declared that he would refrain from treating foreign problems, for "the greater part of France is in a prison, and the play is not played out"; and he concluded: "Since to-day we are condemned to impotence, let us think only of the France of to-morrow. And I am sure my readers will understand what I mean."

His readers understood.

Fernand Laurent, placed under arrest for a time, adopted the same attitude.

In Paris the censorship is in the hands of Sieburg, former correspondent of the *Frankfurter Zeitung*, assisted by Jean Luchaire (*Weltwoche*, October 4, 1940).

The German Command decided at the beginning of April 1941 that dailies in the occupied zone should no longer appear on Sunday evening and Monday morning, and that the issues of Saturday and Sunday should be merged together, without any lowering of salaries or wages. After a total disappearance of the Paris papers from June 11 to June 14, it was the *Victoire* that was

the first to reappear on June 15, only to cease shortly afterwards altogether. It was speedily followed by the *Matin*, and then by the *Matin du Soir* (*sic*). The other principal organs appearing in Paris are *L'Œuvre* (Marcel Déat) since September 21, 1940, the *Petit Parisien* since October 9, 1940, *Paris-Soir* (under German direction), *La France au Travail*, *La Vie Nationale*, and *Le Cri du Peuple* (Jacque Doriot), *Aujourd'hui* (Henri Jeanson), *La Semaine*, which has taken the place of *Match*, the *Nouvelle Revue Française*, *L'Illustration*, *L'Auto*, *Paris-Midi*, *Les Nouveaux Temps* (Jean Luchaire).

The Paris papers appearing to-day in the free zone are the following:

At Lyons: the *Temps*, the *Figaro*, the *Journal*, the *Action Française*, the *7 Jours* (taking the place of *Match*), *Paris-Soir* (under French direction).

At Marseilles: the *Jour-Echo de Paris*, and *Gringoire*.

At Clermont-Ferrand: the *Petit Journal*, the *Journal des Débats*, *Candide*, the *Revue des Deux Mondes*.

There appear also in the free zone the *Garonne* and *L'Effort* (something like the *Œuvre*).

Until recently the only periodical appearing in Paris and authorized in the free zone was *L'Illustration*.

By virtue of a law of November 25, 1940 (modified by a law of March 23, 1941, and a law published on June 23, 1941), and a decree published on December 20, 1940, the semi-official Havas agency was replaced by the O.F.I. (*Office français d'information*), whose task it is to collect various items of news in France, in the colonies, and abroad, and to circulate them in the same countries.

The O.F.I. is conducted, under the authority of the Secretary of State in Charge of Information, by a Director-General (originally Henri Mouchet, former Prefect of the Alpes-Maritimes, who was replaced in May 1941 by Pierre Dominique) and three Directors (René Mazelier, Arthur Mousset, and Jacques Seix), assisted by an Editorial Board and a Committee of Management, composed of representatives of the ministerial departments concerned.

Telegrams are signed "Havas O.F.I."

The sale of all printing materials requires a permit (*Communiqué* from Radio-Paris, June 4, 1941). It should be noted, as a matter of record showing how far the control of the Press is carried, that a decree by the Secretary of State for the Interior ordered on November 25, 1940, the compulsory declaration of all duplicating machines, and made all purchases subject to the granting of permission. The penalties for breach of this order are the seizure of the machines and administrative internment (by virtue of the decree-law of November 18 against extremist activities).

A decree published on July 12, 1941, prohibits the circulation and the sale of books, songs, and poems inspired by communism or anarchism.

2. NEWS REELS

The censorship of the cinema was reorganized in October 1940. All films, old or new, are classified in two categories: those to which young people are admitted, and the others. All films are viewed by a censorship committee, which in the case of old films may suppress some, in the case of new films has power to approve, to suggest alterations, or to refuse a certificate. Furthermore, permission to export must be withheld from all films that misrepresent the real France.

The various topical film gazettes have been replaced by the single Pathé-Gaumont gazette.

Let us note by the way the present position of the French cinema.

All trade unions have been dissolved and their funds transferred to the Comité d'Organisation de l'Industrie Cinematographique (Decree published on May 10, 1941).

In the unoccupied zone a serious attempt was made to organize a film industry on the Côte d'Azur. A few films have already been released; the first was a documentary film on "the tragedy of Mers-el-Kébir." A film by Yves Mirande, with Cécile Sorel in the chief part, entitled *L'an 40*, was prohibited by the censorship after it had been shown for two days in Marseilles (*Le Figaro*, February 8, 1941).

A law published on June 3, 1941, grants film producers advances up to as much as 65 per cent. of the production costs of each film as estimated by the Comité d'Organisation, within a total limit of 50 million francs, the advances to be made through the Crédit National.

In the occupied zone the film industry is entirely under German control. The U.F.A. now produces in France even films labelled 'French.' Half the cinemas show German films. There are no more American films.

3. BROADCASTING

Broadcasting is under the direction of Paul Marion, a former collaborator of Doriot on the *Cri du Peuple*, assisted by Benoist-Méchin, who is the author of a book on the Army of the Reich that has been translated into German, and who was freed from a prison camp to take up his post.

The departments of the *Radio Journal de France* are installed at Vichy, as well as the news and topical sections. The combined artistic departments of the free zone are grouped together at Marseilles. The national broadcasting administration now publishes a weekly organ *Radio National* (*Arrêté* of April 24, 1941).

The German authorities control the most powerful French broadcasting stations, in particular Radio-Paris, which indulges in violent and repeated attacks against the Vichy Government. By a strange contradiction, Radio-Paris nevertheless sends out an official broadcast of news from the Vichy Government.

It is prohibited even in the unoccupied zone to receive in any public place the broadcasts from British stations or from stations engaging in anti-national propaganda. Penalties include the seizure of the wireless apparatus, fines, and imprisonment (*Le Journal*, November 5, 1940).

The placing of receiving sets in motor-cars requires a permit (Decree of January 27, 1941), and in actual fact in the occupied zone the German Command has ordered the immediate withdrawal of all permits that have been granted (Communiqué from Radio-Paris, July 6, 1941).

Breaches of the regulations concerned with wireless telegraphy and wireless telephony are further severely dealt with by a law of January 27, 1941.

All dealings in wireless receiving sets or in single parts that would help in building a set are subject to declarations of clients or purchasers (Radio-Paris, May 29, 1941).

It will also be noted that the wireless department, whose task it is to handle the wireless connexions necessary for Government activity, has been transferred from the office of the Secretary of State for War to the Office of Communications.

Chapter III

PARTIES AND GROUPS

THE political life of France since 1789, as in all the democracies, had been dominated by the working of political parties. Since the law of 1884, trade associations, deviating from their original purpose, had gradually acquired considerable political influence. Certain ex-soldiers' associations since 1919 had also intervened more and more in the political life of the nation. Finally, secret societies (such as Freemasonry) played a part that it is possible to exaggerate, but which should not be underestimated either.

The Vichy Government, to establish its omnipotence, has broken or attempted to break these various organizations. It has at the same time tried to establish groups upon which it could rely: the Légion Française seems to have been successful, while the Comité de Rassemblement pour la Révolution Nationale appears to have hung fire.

The *régime* of the Congregations again has been modified.

It should be noted that the attempt at centralization has been applied even to charitable institutions. By virtue of a law of October 1940, the "Secours National" (President, Georges Pichat) is to effect a compulsory co-ordination of all works of charity and mutual aid connected with the war or the post-war period. It is the only body empowered to issue appeals to public generosity and to accept donations. The three Red Cross Societies have been amalgamated under the presidency of Dr Basy.

I. The Political Parties

i. THE OLD PARTIES

The Vichy Government had not at first had to take any new measure to abolish the political parties—they had simply vanished into thin air of themselves with the defeat of the armies.

The Left parties had furthermore been decapitated by the arrest or the administrative internment of most of their leaders. The men of the Right parties were in power and seemed to have nothing more to ask for.

Only the "Parti Social Français" (Colonel de la Rocque), which had become the "Progrès Social Français" without changing

its initials P.S.F., the "Action Française" (royalist), and the Communist Party seem never to have interrupted their activities.

But little by little attempts at reconstructing old groups seem to have been made, by no means to the liking of the Vichy dictators, who now do not admit even shades in the blind admiration they expect.

Following Marshal Pétain's speech of August 12, 1941, a series of texts, which will be analysed in their proper place, sought to restrict still further the activities of the political groups and parties. An announcement from Radio-Paris on August 10 declared that "in the difficulties of the present hour the Government was of the opinion that individual or collective initiative, even when most praiseworthy, could be not without danger from the point of view of public peace. It cannot on the other hand tolerate undisciplined actions on the part of Frenchmen who have failed to realize their duty. The Government, which has been able in many circumstances to pay homage to the patriotism of certain leaders of parties, invites them to submit to its directions, and to group themselves, without any distinctions of political opinion, behind the Chief of the State. Any organization failing to obey these orders would find itself immediately dissolved."

Repressive action directed against the Communist Party was greatly accentuated after the Soviet entry into the war, the speech of August 12, and the attempt on Laval's life. Political courts charged with checking communist and anarchist and de Gaulloist schemes have been passing sentence freely since the second week in August. Thus Sampaix, the secretary-general of *Humanité*, the organ of the Communist Party, has been condemned to penal servitude for life.

For their part, after a series of attacks on their officers, the Germans from October 1941 executed considerable numbers of hostages, many of whom were taken from among the leaders of the Communist Party.

2. THE "RASSEMBLEMENT POUR LA RÉVOLUTION NATIONALE"

The Marshal's fixed idea seems to have been to make a great national party, if not a single party, upon which he could rely for support.

On January 29, 1941, there was created under his patronage (without either law or decree) a "Comité de Rassemblement pour la Révolution Nationale."

This Committee was composed of some forty 'commissaries.' The secretary-general was Henri Dumoulin (du Moulin de Labarthète), principal private secretary to the Chief of the State;

the delegates in charge of propaganda were André Ferté, an agriculturist, Paul Marion, and Tixier-Vignancour, the last named of whom would appear to be in prison to-day after a violent controversy with the Marshal.

The committee was to act as a "centre for the training and placing of prospective leaders, who will take up their activities when once the propaganda themes have been finally decided upon" (*Le Temps*, January 31, 1941).

On August 31, 1941, by turning the Légion Française des Combattants into a single party, Marshal Pétain acknowledged the failure of the Rassemblement pour la Révolution Nationale and signed its death warrant.

3. THE "POPULAR NATIONAL RALLY"

Immediately after Vichy created the "Committee of the Rally for National Revolution" the enemy set up another association in Paris, the "Rassemblement National Populaire" (R.N.P.), which was created by a meeting on January 31, 1941.

The secretary-general of this body is Jean Fontenoy, a former editor of the Havas and Fournier Agencies. The chief leaders are Jean Goy, a deputy, Deloncle (of the Cagoule), Marcel Déat (editor of *L'Œuvre*), Roy (trade unionist of the Fédération des Métaux), Cathala (former Minister), Jean Luchaïte, Georges Suarez, Marquet and Renaitour, both deputies, and Pressac, a municipal councillor of Paris.

The first meeting took place on February 27 in the Salle Wagram. The programme of this body is as follows:

- (a) *Foreign Policy.* Franco-German collaboration.
- (b) *Home Policy.* A strong State watching over the defence of national interests, safeguarding communal, trade-union, and corporative liberties. Organization of youth. Protection of the race.
- (c) *Economic and Racial Policy.* Creation of a corporative economic system, not State control. Fair wages. Raising of the standard of living. Co-operation among the agricultural classes through the organization of consumption. Elimination of class warfare within the national community. Home life guaranteed by trade unions and corporations.

The Rassemblement National Populaire gave birth to the "National Popular Legion." During a meeting held at Paris (Radio-Paris, June 13, 1941) Eugène Deloncle gave the following information about this organization:

The basic unit is the section, composed of three squads. Three sections form a battalion, three battalions a group, and three groups

a brigade. Each region has a varying number of brigades. Thus the Paris region at the present time has six brigades, made up of 162 sections.

The sections are of two kinds: S.A.R. (*sections d'action rapide*) and S.I.D. (*sections d'intervention différée*).

The uniform is blue serge, with ski-ing trousers, and a black tie.

The staff of the Legion has nine inspector-generals, three members of the managing committee of the R.N.P., and the president of the "Committee of Safety." It has a large and important intelligence department.

It is this organization that gave birth to the "anti-communist legion" destined to fight alongside Germany against the Russians. Marshal Pétain, in agreement with Hitler, expressly authorized its formation. During a review of this legion on August 27, 1941, at Versailles, Pierre Laval and Marcel Déat (editor-in-chief of *L'Œuvre*) were seriously wounded by a twenty-one-year-old Frenchman, Paul Colette, who was condemned to death, but was subsequently reprieved by Marshal Pétain.

II. Occupational Groups

i. THE OLD GROUPS

Under the pre-armistice *régime* employers and workpeople alike could join together freely in occupational associations for the defence of their interests. These associations again grouped themselves together horizontally into affiliated Unions either local or according to *départements*, and vertically into Federations. The various Federations with the same religious, political, or social tendencies finally were grouped into Confederations.

After the communist organizations were abolished the three principal Confederations were the "Confédération générale du Travail" (unions called confederated or *cégétiste*), the "Confédération générale des Travailleurs chrétiens," and the "Confédération des Syndicats professionnels français." On the employers' side the chief organization was the "Confédération générale de la Production."

Among the measures taken by the Government with regard to the unions we must distinguish between those of general application and those which apply only to trade and industry, agriculture and the liberal professions. We shall see, moreover, that all unions of officials have been dissolved.

(i) *General Measures.* The law of August 16, 1940, which is now the charter for occupational associations, laid down:

- (1) That all associations "bringing together on a nation-wide scale" occupational organizations were to be compulsorily dissolved.
- (2) That other associations whose activities might be injurious to the working of any branch of economic activity could be dissolved.

The first of these enactments again gave rise to serious difficulties of interpretation. It seemed that it must be applied to all national occupational Federations. In the end the Government made it clear that only the 'Confédérations' were intended. On November 9, 1940, it pronounced the dissolution of all the workers' Confédérations as well as the employers' associations known as the Comité des Forges and the Comité des Houillères. The C.G.T. had in July modified its statutes, throwing the doctrine of class warfare overboard, but all in vain.

Hence the Federations continue to exist, and new ones have even been established. Thus on November 2, 1940, "in order to find a place in the new social charter," four important associations of technicians of business, industry, and the applied arts (the Fédération nationale des Syndicats d'ingénieurs; Fédération française des Syndicats chrétiens de techniciens et chefs de service; Fédération des Syndicats de chefs de service ingénieurs et agents de maîtrise; Fédération nationale des techniciens confédérés) decided to join together in a single Comité National.

A decree of February 28, 1941, and an order (published March 27, 1941) created a Committee of Occupational Organization charged to establish a new professional charter. The Committee, presided over by Henri Moysset, met at the end of May 1941.

The labours of the Committee culminated in the month of August in the working out of a "charter for labour" which Marshal Pétain has announced as soon to be promulgated (Speech of August 12, 1941).

Trade unionism will henceforth be compulsory, and every worker will automatically become a member of the union of his own occupation (Radio-Paris announcement of August 8, 1941).

At the base there is to be a union according to categories (wage-earners and foremen), and a mixed Committee which will have the task of settling disputes of a local character. Regional unions and regional mixed Committees, then national federations and a mixed national Committee, will play a similar part for wider groupings. There will be no more amalgamated confederations. The officials of the groups will be appointed by the public powers, but may ultimately be elected (Radio-Paris announcement of August 11, 1941).

(ii) *Business and Industry.* The law of August 16, 1940, laid

down that all occupational associations in any way connected with a branch of activity for which an Organizing Committee had been set up (see Section V) were under the jurisdiction of the said Committee. The Committee can be represented at their meetings and can veto their decisions.

Occupational associations then continue to exist, in principle, but are placed under the thumb of State-controlled employers' organizations—the Organizing Committees. Their part is limited strictly to occupational representation and investigation (Com-muniqué of October 5, 1940).

(iii) *Various Associations.* In agriculture a different principle is applied. By virtue of the law of December 2, 1940, all existing unions must be dissolved.

All medical unions were dissolved by a law published on October 26, 1940, and their property transferred to the Conseil Départemental de l'Ordre des Médecins.

The merchant seamen's unions were to be remodelled on corporative lines. The bringing of this reform into operation is subject to the work of the Committee of the Mercantile Marine (Ministerial Circular of February 26, 1941).

2. THE NEW GROUPS

New occupational unions have been created in agriculture, for sea fisheries, and for the liberal professions of medicine, architecture, and the *notariat*. The corpus of regulations for barristers has also been recast.

(i) *Agriculture.* A Commission of the *Organization Corporative Paysanne*, set up with M. de Guébriant as president (Ministerial order of January 21, 1941, and decree of February 11, 1941, modified by a decree published May 14, 1941), has the special task of effecting the change-over from the old organization to the new. It has considerable funds, and in particular the proceeds of the union subscriptions of the peasant families.

The new *régime* resulting from the law of December 2, 1940, is a corporative one in three strata.

At the bottom is the Communal or Intercommunal Corporative Union which brings together the peasant 'families,' that is to say all who live by the land, labourers, farmers, and owners of land whether they farm it or not. It is managed by a syndic who is appointed by the Regional Union.

Next is a Regional Corporative Union linking all the unions of the same region, the syndics of which compose the general assembly. It is presided over by a regional delegate appointed by the Secretary of State for Agriculture, assisted by a Council of

welve members and a Government representative, all appointed by the Secretary of State.

Lastly a Corporative National Council (not yet actually established in June 1941) brings together, on the one hand, the representatives of the regional unions and, on the other hand, the representatives of specialized associations still maintained in existence, such as the General Association of Wheat Production or the General Confederation of Vine-growers.

All other agricultural organizations—co-operative societies, farmers' loan funds, State insurances—revolve around this structure. Only members of the corporative unions are for the future permitted to take advantage of their benefits.

The Secretary of State for Agriculture may, up to December 21, 1941, pronounce the dissolution of all organizations that hinder the development of the corporative organization, and arrange for all necessary amalgamations. The Secretary of State for Agriculture is in sole charge of the relations between the public powers and the agricultural corporative organization with regard to the study, preparation, and application of legislation dealing with agriculture (Order of January 30, 1941).

It must be observed that the Assembly of Presidents of Agricultural Chambers is dissolved. A commission of three is charged with the liquidation of its assets and their transfer to the Corporative National Council (Order published May 1, 1941).

(ii) *The Bar.* Conditions of practice at the Bar were subjected to detailed regulation by three laws published on July 28, 1941.

We must note that the profession of barrister is incompatible with the holding of any public employment, except a law professorship or employments only remunerated by fees.

A barrister can only be called to a Bar upon présentation of a diploma—a “certificat d'aptitude à la profession d'avocat.”

Again, by virtue of a decree of October 18, 1940, the maximum percentage of Jews in liberal professions is to be fixed by a *règlement d'administration publique*. For the Bar it has been fixed at 2 per cent., but the number of Jewish barristers belonging to a Bar may not exceed the number belonging to it on June 25, 1940; the same percentage again is applicable to all ministerial posts (Decrees Nos. 2956 and 2957 of July 16, 1941). Actually all the Jewish barristers at the Paris Bar have been struck off.

The law of September 10, 1940, again laid down that no one could be called to a Bar unless he was of French nationality “*à titre original*,” that is to say himself the son of a French father. Exceptions are allowed in favour of Alsatiens, illegitimate children, and ex-Service men.

By virtue of a law published on August 11, 1941, barristers of

the Bars in the prohibited zone can be called provisionally to another Bar.

(iii) *Notaries.* By virtue of a law published on July 28, 1941, all associations of notaries were dissolved. A single "chambre des notaires" is established in each *département*, a "Conseil régional" at the seat of each Court of Appeal, and a "Conseil supérieur du notariat" attached to the Keeper of the Seals. In Paris, however, it is the Chamber of Notaries that plays the part of the Regional Council.

These various organizations are to play very nearly the same part as the councils of the Orders of Barristers. A decree published on the same day lays down the rules for their initial formation.

(iv) *The Medical Profession.* A law of August 16, 1940, laid down similar measures with regard to the practice of medicine, dentistry, veterinary surgery, and pharmacy (*Décret d'application* published June 6, 1941).

A further exception to the principle of the exclusion of those who are not French by descent is provided in favour of those who have brought honour to their adopted country in the domain of science. By the terms of an order published on June 6, 1941, requests for exemption are examined by a special commission sitting at the offices of the Secretary-General to the Ministry of Health: for doctors in active practice the request automatically suspends the application of the law. The grant of exemption does not dispense with the necessity for the application for registration referred to below.

It should be noted that *Le Journal* (August 21, 1940) had stated that in 1939, in the *département* of the Seine alone there were 6970 doctors of foreign origin in practice. It seems that this figure is greatly exaggerated. An official communiqué of the Vichy Government (Radio-Paris, May 18, 1941) stated that 4000 doctors and pharmaceutical chemists of foreign origin were practising in France, that the papers of 1000 of these had already been examined, and that 200 had been authorized to continue in business.

A law of October 7, 1940 (modified by a law published on August 3, 1941), established the "Order of Doctors." No person may henceforth practise medicine unless authorized by a Conseil Départemental, whose decisions may be the subject of an appeal before a higher council. This is the "Conseil de l'Ordre des Médecins," or General Medical Council, which works with the Secretary of State for the Interior; its members are appointed by decree; a member of the Council of State acts as its legal adviser. Decisions of this Council of the Order with reference to refusals of registration can be made the subject of appeals before the Council of State on the grounds of action *ultra vires*.

The higher council and the *conseils départementaux*, in theory, were to give place on October 27, 1941, to elected councils, but a law published on August 3, 1941, has postponed the elections *sine die*.

Doctors are sworn in before the *conseil départemental*, which is endowed with disciplinary powers extending to prohibition from practising.

All medical unions are dissolved and their property transferred to the *conseils départementaux*. The property of the General Confederation of French Medical Unions has been handed over to the higher council (Order published April 22, 1941).

Finally, by virtue of a law of April 2, 1941, the Council of the Order can fix the maximum number of doctors permitted to practise in any *département*. This number may not be less than that of the doctors in practice on September 1, 1939.

A law published on June 9, 1941, introduced the appropriate alterations to the laws of November 30, 1892, and July 26, 1935, on the practice of medicine and dentistry. It must be noted that all the doctors and others to whom the laws relate must before practising register their qualifications at the Prefecture and the Civil Court.

(v) *Architecture.* A law of December 31 creates an Order of Architects. Its articles, while following the lines of those relating to doctors or barristers, are less strict as regards the question of nationality, but contain an important new provision as to the diplomas required for the practice of a profession that has hitherto been free.

For the future, in order to practise as an architect it is necessary:

- (1) To be French (with certain exceptions).
- (2) To be in full enjoyment of civil rights.
- (3) To hold certain specified diplomas (*Arrêté d'application* published June 5, 1941), except that certain vested interests may be maintained.
- (4) To be admitted as member of the Order of Architects. (Refusal of registration by the Regional Council may be made the subject of an appeal before the Higher Council, and further of an appeal to the Council of State for action *ultra vires*.)

A Higher Council is set up to work under the Secretary of State for National Education; a member of the Council of State acts as legal adviser.

Regional councils play the same part in discipline as the Councils of the Orders of Doctors or Barristers; they act even in the case of foreign architects authorized to practise, either under a diplomatic convention or for individual reasons, but who are not 'members of the Order.' Suspension and striking off the register

can only be pronounced by the National Committee. All disciplinary decisions may be referred to the Council of State.

A *règlement d'administration publique* is to establish a 'Code of Professional Conduct.'

(vi) *Sea Fisheries.* The trades and professions connected with sea-fishing have been reorganized on so-called corporative lines by the law of March 13, 1941.

At the bottom of the organization are the local *syndicats professionnels*, divided into three categories :

- (a) Owners of fishing fleets.
- (b) Fishermen owning their own boats.
- (c) Fishermen on wages (officers and crews).

For this grade no corporative *syndicat* has been created in the proper sense, grouping the three categories concerned, except for the small men. Special *syndicats* may, however, be organized for industrial undertakings whose activities centre on fishing or on the trade in sea-produce. The massed committees of the local *syndicats* constitute the '*communauté de pêche*'—the fishing corporation.

The local *syndicats* are grouped into "regional unions" comprising representatives of categories (a), (b), and (c), appointed by the Secretary of State for the Navy on the proposal of the committees of the *syndicats*. A Government representative attends all meetings. The unions have power:

- (1) to draft regulations for the training, recruiting, and employment of workers;
- (2) to create provident and mutual help societies.

Independently of the regional unions established on the horizontal plane, "joint fishery committees" have been created on the vertical plane. Each committee brings together, for one particular kind of fishing, representatives of categories (a), (b), and (c), and, should occasion arise, representatives of the trades and industries connected with fishing, these representatives being in every case appointed by the Secretary of State on the proposal of the "Central Corporative Committee."

A Government representative attends all meetings. The committee employs as its executive agents not *syndicats* but regional and local commissions, the members of which are appointed by the Secretary of State on the proposal of the committee. The committees have power:

- (1) to make regulations with regard to the rational organization of fishing, and the sale and the processing of the produce of the fisheries;

- (2) to establish collective organizations with a view to facilitating the working of fishing vessels, trading centres, workshops and factories;
- (3) to put before the maritime authorities all proposals relating to the grant and the use of professional cards.

The whole organization is crowned by a "*Comité central corporatif des pêches maritimes*." This body includes representatives of categories (a), (b), and (c), appointed by the Secretary of State on the proposal of the regional unions, representatives of the industries and trades concerned with fishing, appointed on the proposal of their respective occupational groups, and representatives of the managements and collective bodies concerned. The Central Committee has power:

- (1) to exercise general control over all corporative activities on the social side as well as the economic;
- (2) to direct and co-ordinate the work of the regional unions;
- (3) to arrange the general plans of work for the joint fishery committees.

The expenses of these various bodies are provided for by taxes fixed by decree, and on occasion by levies on the returns of sales.

All decisions of the Central Committee must be approved by the Secretary of State. Decisions by the unions and joint committees may be suspended by the Secretary of State and submitted to a commission of the Central Committee for advice. In case of default by any of these bodies all decisions may be made by the Secretary of State or by the Government representative.

Any infringement of these decisions may lead to the imposition of corporative sanctions pronounced by the Secretary of State, which go as far as suspension of the right to function.

The essential characteristic of this system is that behind a show of corporatism it gives all powers to the State, which nominates holders of all positions, which can nullify all decisions taken by the organizations concerned, or can substitute its own decisions, and which can impose all penalties. It is in fact the complete subjection of all the professions and trades connected with sea-fishing to the State.

The provisions of the law of March 13, 1941, have been extended to shell-fish (oysters, mussels, etc.) by a later text (Decree published August 4, 1941).

III. Associations of Ex-soldiers

The question of the associations of ex-soldiers assumes a special importance from the fact that at the present moment Marshal Pétain relies upon a new association, the "*Légion Française*."

I. THE OLD ASSOCIATIONS

All associations of ex-soldiers have been dissolved under the law of August 29, 1940, and their assets have been transferred to the Légion Française des Combattants.

Exceptions to the rule are:

- (a) Regimental friendly societies.
- (b) Corporative associations or charitable associations.

Among the associations that were at first permitted to continue, the following have since been dissolved:

The Federation of ex-soldiers of the East with lung injuries (March 1941).

The Federation of soldiers wounded at the Dardanelles (March 1941).

The National Federation of men injured in the lungs and surgical cases (June 1941).

The following associations have been allowed to remain, linked together under a joint committee:

Men totally disabled.

Men who have lost a limb.

Men with facial disfigurement.

Men who have undergone trepanning.

Men with multiple wounds, and the functionally disabled.

2. LA LÉGION FRANÇAISE

The Légion Française des Combattants, created by the law of August 29, 1940, modified by a law published June 10, 1941, brings together all the ex-soldiers of the 1914-18 war and the recent war of 1939-40.

This is a State organization with official rank. Honours are paid to its flag. Its leaders figure at public ceremonies alongside the representatives of other officially constituted bodies.

None of the offices of the Legion are elective. From top to bottom it is controlled by men appointed in accordance with the "Führer prinzip." At its head is a President, appointed by the Government, who in turn chooses the Vice-Presidents and members of the National Directorate. The President is in point of fact Marshal Pétain; the Vice-Presidents are Péricard, Feuillade, and Heurteaux.

The Legion has its own mouthpiece, *Le Légionnnaire*.

In a speech delivered on November 15, 1940, at Vichy,

M. Meaux, Delegate-General of the Legion, defined its rôle as follows:

The Legionaries can and must become the leaders of the new France, the men of the Marshal who, for his part, is the keystone of the arch of this house that has been so terribly stricken and is called France.

. . . There must be in the workshops, in the public service, in banks, in business houses, a group adapted to the particular circumstances of the place where you are working, and with the task of observing, of expounding, and if need be *enforcing*, the Legion's point of view.

The same tone is found again in an article by Robert Sadoul on the Legion (*Voici*, February 1941).

General Laure, however, some weeks later disputes the suggestion that the Legion is getting ready for "mass gatherings and crowd demonstrations" for the purpose of one day imposing itself by violence on those "who might not be of the same way of thinking" (*Le Temps*, April 28, 1941).

It would seem to be the Marshal's intention to augment the importance of the Legion in the reorganization of the State. It would act in close collaboration with the authorities and might be called upon by those authorities to form "cadres for education, for stimulation, and in certain circumstances for control" (*Le Jour*, March 13, 1941; *Action Française*, March 14, 1941).

The activities of the Legion are manifold. M. de Courson has been entrusted with its development in the Empire; the Baron de Lassus is head of the Legion of the Levant (*Le Jour*, March 13, 1941). A new organization, the 'Friends of the Legion,' adds its backing to the association (*Figaro*, February 5, 1941), and already has more than 500,000 adherents (*Le Temps*, April 18, 1941).

The members of the Legion numbered 652,000 on February 26, 1941, and one million a month later (*Le Jour*, March 20, 1941).

Ex-soldiers of the 1939-40 war admitted to the Legion are, by virtue of a decree of December 27, 1940, men who belonged to a fighting unit for three months, provided that

- (a) Between September 2, 1939, and May 9, 1940, they were actually present with such a unit in the battle area for at least eight days.

- (b) Or were present with such a unit from May 10 to June 25, 1940.

In reckoning the three months, there will be counted as double:

- (a) Time spent in a fighting unit from May 10 to June 25.
- (b) Service of soldiers who belonged to the troops of the Norway expedition, and who were in fact transported from Great Britain to Norway.

- (c) Service of holders of the Croix de Guerre (subject to any revision of the official mention in dispatches).
- (d) Service of the wounded.
- (e) Service of men taken prisoner after fighting, with their weapons.

In each *département* ‘courts of honour’ decide upon disputed admissions, on such disagreements as may arise between legionaries in matters of honour, upon cancellations of membership, and the validity of elections to communal committees. Their decisions may be appealed against before a Court of Appeal presided over by General Brécard (*Le Temps*, February 27, 1941).

However, the whole idea of the Legion has altered.

On August 12, 1941, Marshal Pétain declared that “the Legion remains the best instrument of the National Revolution in the free zone. But it will only be able to fulfil its task with advantage by remaining in all its grades subordinate to the Government.”

On August 31, on the occasion of the taking of the oath by the Legion at Vichy, the Marshal announced that the Legion was the single party upon which the Government would henceforth rely for support. Consequently the Legion is for the future to be open to those who, without being ex-soldiers, share their beliefs and wish to join in their “saving activities.” The Legion is henceforward to be known as the “Légion française des vétérans et des volontaires de la Révolution nationale.”

3. THE OCCUPIED ZONE

Similarly to the measures it has taken to oppose the working of the “Comité de Rassemblement pour la Révolution Nationale,” the German Command in the occupied zone has proclaimed the illegality of the Légion française and forbidden all its activities in that zone.

It only allows the functioning of the following federations of ex-soldiers:

- The Federal Union of French Associations of ex-Soldiers.
- The National Soldiers’ Union.
- The National Union of Crippled and Discharged Soldiers.
- The Joint Committee of Totally Disabled Ex-Service Men.

IV. Secret Societies

Along with the suppression of the unions of civil servants the Government proclaimed the dissolution of secret societies by a law of August 13, 1940 (modified by a law of March 11, 1941). By virtue of this text there was dissolved, out of hand, every associa-

tion or union (*a*) whose activities are even partly secret; (*b*) whose members make it an obligation upon themselves to conceal their activities from the public authorities, even partially; (*c*) which refuses, when called upon, to disclose to the authorities its statutes and by-laws, its governing personnel, the list of its members, and the object of its meetings.

The property of the dissolved societies is transferred to the Public Assistance Board in Paris, and in the other communes to the Charitable Board.

Under this law there have been dissolved by a decree of August 19, 1940, the Grand Lodge of France and the Grand Orient of France, as well as all bodies connected with them, and subsequently, by decrees published March 16, 1941, the "Grande loge nationale independante," the "Fédération française du droit humain," the "Société théosophique."

A law published on August 12, 1941, strengthened the previous measures by enacting:

- (1) That the names of former officers of the dissolved societies should be published in the *Journal Officiel*.
- (2) That these officers should be excluded from all public posts from which Jews are excluded.

Since that date the *Journal Officiel* publishes, almost daily, long lists of names of officials affected by this law.

V. Religious Bodies

If the Masonic bodies have been dissolved, the religious communities have on the contrary seen their position improved.

The law of September 3, 1940, abrogated the law of July 7, 1904, which prohibited religious bodies, the congregations, from engaging in educational work. In any case this merely sanctioned a state of things already in existence. For a number of years many members of the teaching congregations had returned to France and, wearing the black soutanes of the secular priests, were teaching practically in the same conditions as before 1904. *Le Temps* (September 7, 1940) stated that this reform "in no way interferes with the sovereignty of the State, which remains intact."

The freedom restored to the teaching congregations will be controlled and supervised like all others. There is no fear lest a 'State within the State' may be built up once more.

It should further be observed that the Carthusian Order has been restored by a law of February 21, 1941, and that the national property of the Grande Chartreuse has been granted to it by a decree of February 1941.

A law published on June 5, 1941, relaxed the articles of the law

of May 24, 1825, governing the sisterhoods. They may henceforth receive universal legacies; the sisters can make a will in favour of their institution provided the bequest does not exceed 100,000 francs (instead of the 10,000 francs which was the previous rule).

While we are on this subject we must incidentally point out the favourable attitude of most of the high dignitaries of the Catholic Church to the Vichy Government.

On January 1, 1941, the Papal Nuncio himself, Monsignor Valerio Valeri, when presenting the traditional good wishes of the diplomatic corps to Marshal Pétain, declared: "It is your incomparable prestige, Monsieur le Maréchal, the love and trust the French people have for you that enables the present work of recovery to go forward. You have succeeded in rallying round your person the best energies of the country . . ." (Thouvenin, *Une année d'histoire de France*, Sequana, Paris, June 1941, p. 2131).

Monsignor Baudrillart, the rector of the Catholic Institute of Paris, has given the support of his authority to the Government (*Le Petit Journal*, November 14, 1940; *Le Temps*, November 22, 1940), and so also Monsignor Gerlier, Archbishop of Lyons, 'Primate des Gaules': ". . . Marshal Pétain, in whom is embodied France defeated but unshakably faithful to her ideal and confident in her destiny. Let us offer our unanimous homage to Marshal Pétain, to-day the admirable and revered head of a ravaged people to whom he has restored hope and confidence in their greatness" (*Le Petit Journal*, April 11, 1941). The Archbishop of Cambrai (Radio-Vatican, August 29, 1941) and Monsignor Gounod, the Primate of Tunisia (June 1941), have adopted a similar attitude.

In February 1941 the French cardinals and archbishops of both zones addressed a message to the Pope in which we note the declaration that "in the social and civic sphere they affirm their complete loyalty to the French Government, whose legitimate authority they recognize."

In return for this attitude the Government has adopted a whole series of measures. A law of February 15 ordered the free transfer to the diocesan religious societies of property that had belonged to the former public religious institutions and that had not as yet been made the subject of a decree of disposal. Divorce has been made harder to obtain. Lastly, various texts that we shall meet again in the chapter on Education were intended to place public and religious schools on a strictly equal footing.

The Government omits no opportunity of showing its deference towards the Catholic Church by taking part officially in numbers of religious ceremonies.

The great mass of the clergy, however, no longer follow the directions of the hierarchy; the country priests in the free zone, and above all in the occupied zone, everywhere preach resistance. The Dominicans, very nearly openly, and the Jesuits, more discreetly, oppose the Vichy dictatorship and collaboration with the enemy. Monsignor Bruno de Solages, the rector of the Catholic Faculty of Toulouse, has adopted the same attitude.

While Pastor Bœgner, the head of the Reformed Church—whose son, however, an attaché at the French Embassy in Ankara, joined General de Gaulle in June 1941—has officially given his allegiance to the Vichy Government (*Figaro*, December 20, 1940), all available information shows that in the mass the Protestants disapprove at any rate the policy of the persecution of the Jews.

THE CIVIL SERVICE

A GOVERNMENT is powerless without the Civil Service. According to the way in which that service applies the Government's decisions they will have their full effect or remain a dead letter. A passive or hostile attitude of the officials is an impassable obstruction to the working of the best-planned or most desirable reforms.

It is therefore natural that the Vichy Government should have made up its mind to have a civil service that shall be devoted to it, a civil service carrying out its measures exactly and without discussion. To obtain this it made certain enactments of which some apply to all public services, others only to State or local services.

I. General Enactments

I. COMMISSAIRES DU POUVOIR

Although of recent creation, there is one institution that must figure at the head of the measures taken by the Vichy Government to establish an administration devoted to it, the "Commissaires du pouvoir."

By virtue of a law published on August 12, 1941, a body of *commissaires du pouvoir* has been established, under the direct authority of the Vice-President of the Council, which will have the general supervision of the public services of the State, of local bodies, and of public institutions.

The *commissaries* are charged with the following tasks:

- (1) To study and propose suitable measures for co-ordinating the work of the departments and improving their output.
- (2) To receive the complaints of the public against the departments.
- (3) To detect and do away with abuses.
- (4) To see that the orders of the central power are carried out in the spirit of the National Revolution in all administrative, social, and economic matters.

The *commissaries* can, in the course of their duties, take all necessary measures to put an end to abuses, and can suspend all public officials, on condition that they report by telegram to the Secretary of State concerned.

The eleven *commissaries* are placed under the orders of a *commissary-general*.

2. DEBARRING OF CERTAIN OFFICIALS

(i) *French Subjects of Foreign Parentage.* Foreigners have never been admitted into the public services in France.

The laws of July 17 and August 30, 1940, and the law published on June 2, 1941, went further by debarring from all public services (the State, the *départements*, or the communes) French subjects of foreign parentage, that is to say, whose father was a foreigner.

See on this point Section II.

A new *régime* was set up by the law published on June 2, 1941, which abrogated previous laws.

In principle no one can be employed in general, departmental, or communal services, or in public institutions, or in the management of any industrial public service under State control unless French-born of a French father. Exceptions are made in favour of:

- (1) Foreigners granted French nationality for distinguished services.
- (2) Naturalized subjects of a French protectorate.
- (3) Ex-soldiers and widows of ex-soldiers.
- (4) Natural children not acknowledged by a foreign father.
- (5) French subjects with a foreign father who have been made specially eligible by an order to that effect approved by the Council of State.
- (6) Foreigners serving as such in the French Army..

The date of the termination of service is fixed either by the Secretary of State or by the prefect. Officials with fifteen years' service have a right to a pension, others to a gratuity of a month's pay for each year of service.

Officials discharged under the laws of July 17 and August 14, 1940, and falling within the first five categories of exceptions shown above, are to be reinstated and given a compensation allowance equivalent to half the pay they should have drawn during the period of interrupted service.

Officials and agents of the Ministry of Foreign Affairs may not marry anyone who is not French-born of French parents (Decree published June 24, 1941).

(ii) *Jews.* A similar general measure has been adopted in the case of Jewish officials.

By virtue of the Law of October 18, 1940, Jews have been excluded from all public services, from the teaching profession, and from State-aided enterprises.

Exceptions have, however, been made in favour of Jews who have specially distinguished themselves in arts, in literature, and in science.

(iii) *Other Officials.* But this is not all.

In addition to these general measures the law of July 17, 1940, allowed the Government to relieve any official or agent of his post

without legal formalities (Order of September 18, 1940, modified by a *Décret d'application* of January 24, 1941). A law published on March 31, 1941, postponed the application of these enactments until September 30, 1941. The magistrates, officials, and agents relieved of their duties have a right to a pension if they have had a minimum fifteen years' service.

The application of the law of July 17, 1940, has been extended by a law of August 14, 1940, to officials of the departments and communes. The relevant decisions are taken: in matters concerning the *département*, by a prefect's order; in matters concerning the commune, by an order issued by the mayor and approved by the prefect.

The Government has made very extensive use of these enactments, and there is hardly an issue of the *Journal Officiel* that does not contain numbers of dismissals. Thus by large-scale measures the prefectoral staffs, the teaching profession, the Council of State, the legal profession, and the diplomatic service have been completely transformed.

Various enactments have also lowered the age-limits for officials (see Section III).

A Bill determining afresh the legal status of civil servants and restoring certain guarantees has been announced (Report appended to the law published March 31, 1941).

3. CIVIL SERVICE ASSOCIATIONS

(i) *Unions.* The illegality of civil servants' unions had always been proclaimed by the Council of State, but in practice all successive Ministers had been obliged to tolerate them.

A law of October 15, 1940, had pronounced the dissolution of all civil servants' unions (*Règlement d'administration publique* of February 9, 1941).

But it sanctioned the functioning of associations comprising the officials of the same or equivalent rank in any single department. Higher civil servants cannot belong to such associations. Provided permission is given, these associations may in turn be grouped into unions within a single department.

The management and administration of these groups may only be entrusted to officials in active service approved by the Minister concerned. The groups can take legal action and can appeal before the administrative courts against regulations affecting the status of the agents whose interests it is their function to defend.

A central committee, presided over by the Secretary-General of the Office of the President of the Council, is in charge of the transfer of the assets of the dissolved associations.

(ii) *Secret Societies.* All officials or agents of public communities, all employees of public utility undertakings or in State-aided enterprises, must declare upon their honour that they have never belonged to dissolved secret societies (see Chapter III), or that they have broken off all connexion with them. They must further undertake never to join such organizations (Law of August 13, 1940).

Officers of the dissolved societies are declared to have "resigned their posts" (Law published on August 12, 1941).

II. Departments of State

The reduction of the number of ministerial portfolios and the changes in the structure of the ministries have entailed an almost universal recasting of all the directing staffs of departments at headquarters. It is useless to enter upon details of this internal 'shuffling,' which is liable to fresh changes from day to day.

I. SECRETARIATES-GENERAL

One of the most important structural changes has been the multiplication of secretariates-general. By virtue of the law of February 16, 1941 (altering the law of July 15, 1940), they now number twenty-two, distributed among the departments as shown below, with their holders:

Vice-Presidency of the Council: at first Moysset (since become Secretary of State); then Jartel.

Information (Vice-Presidency): Portmann.

Justice: Dayras.

National Council: Vice-Admiral Fernet.

Foreign Affairs: Lagarde.

Administrative Section (Interior): Sabatier.

Police (Interior): Chavin.

Health (Family): Docteur Aublanc.

Ex-soldiers (Interior): Musnier de Pleignes.

Public Finances: Deroy.

Economic Questions (Finances): Moreau-Néret.

Education (National Education): Terracher.

Beaux Arts (National Education): Hauteccœur.

Youth (National Education): Lamirand.

Agriculture: Préaud.

Energy (Communications): Lafond.

Industry and Home Commerce (Production): Bichelonne.

Man-power and Social Insurance (Labour): Million.

Works and Transport (Communications): Schwartz.

Posts, Telegraphs and Telephones (Communications): di Pace.

Colonies: Fatou.

Supplies: Billiet.

A law published on June 17, 1941, created a Secretariate-General of National Equipment, given to Giraud. A law published on August 12, 1941, created a Secretariate-General of Information and Propaganda.

2. COMMISSARIES-GENERAL

Independently of the Secretaries-General numbers of Commissaries have been appointed. These play a part similar to that of the old Under-Secretaries of State, but sometimes have functions that touch several ministerial departments.

3. VARIOUS MEASURES

Constitutional Act No. 7 of January 27, 1941, laid down the principle of the responsibility of the high officials and dignitaries to the Chief of the State in the same conditions as that of Ministers (see Chapter I). Furthermore, they take an oath before him "swearing fidelity to his person and undertaking to execute their duties for the good of the State according to the laws of honour and probity."

The law of January 27, 1941, had not, however, been given practical application. In his speech of August 12, 1941, Marshal Pétain announced that he intended to bring it into fullest effect, and a decree published on August 16 fixed the methods of taking the oath. Only the Secretaries of State, the Vice-President of the Council of State, the Grand Chancelier, and the members of the *Conseil de l'Ordre* (the Bar Council), are to take the oath in the Marshal's presence; the members of the Council of State take the oath in general assembly, other officials before the Secretary of State to whose department they belong. In actual fact Marshal Pétain on August 22 himself presided over the session during which the members of the Council of State took the oath.

Two constitutional Acts published on August 16, 1941, similarly required an oath of fidelity to the Chief of the State from the soldiers and the magistrates. For soldiers the formula is: "I swear fidelity to the person of the Chief of the State, promising to obey him in everything he may order for the good of the service and the success of the arms of France"; and for magistrates: "I swear fidelity to the person of the Chief of the State. I promise and swear well and truly to perform my duties, religiously to preserve the secrecy of our deliberations, and in all things to conduct myself as a worthy and loyal magistrate."

The organic changes in the different State departments will be examined in our detailed studies of each.

III. Local Administration

The Vichy Government has profoundly unsettled the whole local administration of general or local interests by the suspension of the *Conseils Généraux* and the *Conseils d'arrondissement*, the substitution of nomination instead of election for the municipal corporations and the municipal councils of all communes with more than 2000 inhabitants (2722 communes). The law of May 30, 1941, also deprived the members of these councils of all the administrative functions they exercised in that capacity and ordered that their places should be taken by individuals appointed by the prefects. An official communiqué stated that "the object of this reform is to remove from the administrative bodies concerned such elected persons in the *départements* as are manifestly hostile to the work of national revival. It by no means suppresses the *conseils généraux* and the *conseils d'arrondissement*, whose sittings are merely suspended" (Radio-Paris, June 30, 1941).

But the Government is very unlikely to stop there, for the great idea of the *régime* is the re-establishment of the provinces. Immediately upon his accession to power Marshal Pétain made known his intentions in this matter, the chief argument put forward being that it is easier to give orders to twenty governors than to ninety prefects (Interview given by Marshal Pétain to Candide, quoted by *Le Temps*, November 13, 1940). Still more recently again, on March 19, 1941, at Grenoble, the Marshal declared that it was his duty to work out the "legal status of the provinces."

The scheme nevertheless, to say nothing of the moral objections to which we shall return, comes up against undeniable difficulties of a practical kind. The task of solving these was entrusted to a commission of the National Economic Council presided over by Lucien Romier, which about the middle of May had finished the work of delimiting the provinces (Radio-Paris, May 17, 1941).

A semi-official communiqué relating to the work of the commission under Lucien Romier stated that the *département* was to remain the administrative unit. "It is the intention of Marshal Pétain's Government," it adds, "to limit the reform for the moment to amalgamating some *départements* into provinces or regions, according to their natural affinities. Once the framework of these provinces is finally established, as well as the powers of the governors placed at their head, it will be possible to endow them with local assemblies, whose formation, basis, and function are still under consideration. Ultimately these bodies, which are a kind of regional council to assist the governor, would be brought to share more directly in the management of public affairs." The communiqué concluded that "there could be no

question of returning purely and simply to the provinces of the old days. To-day there are economic requirements, unknown of old, which necessitate a search for new solutions. In the work that is to be entered upon it must never be forgotten that what is of most importance is life. This work will only be fruitful if what belonged to the domain of the past is brought into the life of to-day" (*Le Temps*, April 19, 1941).

More modestly the Vichy Government has up to the present confined itself to conferring upon certain prefects powers extending beyond the area of their own *départements*. For greater simplicity we shall treat this question under the heading of 'region,' though we must repeat that the 'region' does not at the moment signify any administrative division of France.

I. THE REGION

The preamble to the law of April 19, 1941, instituting regional prefects, sums up the position of the Government in the matter. According to this text the administrative organization based upon the division of the country into *départements* has given unquestionable proof of its vitality and "hence could not entirely disappear." It must be adapted to new tasks. The Government finds increasing difficulty in directing the activities of collaborators who are both too numerous and too far distant from it.

Hence the creation of regional prefects, which gives expression to "a fundamental idea many times voiced by the Chief of the State, which will not be fully applied until the country has been endowed with its institutions in their final shape." The preamble adds that "the reform presents itself under a twofold aspect, temporary with regard to the delimitation of the regions, permanent in all that concerns the principles of the administrative organization of the country."

At the end of November 1941 the division of France into regions was as shown below. The letters o.z. stand for 'occupied zone,' and f.z. for 'free zone.'

A. The Occupied Zone

I. NANCY

Meuse, Meurthe et Moselle, Vosges.

II. LAON

Aisne, Ardennes, Oise, Somme.

III. CHÂLONS-SUR-MARNE

Marne, Aube, Haute-Marne.

IV. ROUEN

Manche, Seine-Inférieure, Calvados, Eure, Orne.

V. RENNES

Côtes du Nord, Finistère, Ille et Vilaine, Morbihan.

VI. ANGERS

Mayenne, Sarthe, Loire-Inférieure, Maine-et-Loire, Indre-et-Loire
(o.z.).

VII. ORLÉANS

Eure et Loire, Loir-et-Cher, Loiret, Indre (o.z.), Cher (o.z.).

VIII. DIJON

Belfort, Yonne, Côte-d'Or, Haute-Saône, Nièvre, Allier (o.z.), Doubs,
Saône et Loire (o.z.), Jura (o.z.), Ain (o.z.), Haute-Savoie (o.z.).

IX. POITIERS

Vendée, Deux-Sèvres, Vienne (o.z.), Charente (o.z.), Charente-
Inférieure (o.z.).

X. BORDEAUX

Gironde (o.z.), Landes (o.z.), Basses-Pyrénées (o.z.).

XI. LILLE

Nord, Pas-de-Calais.

B. The Free Zone**XII. LIMOGES**

Indre et Loire (F.Z.), Indre (F.Z.), Vienne (F.Z.), Charente (F.Z.),
Cher, Haute-Vienne, Creuse, Dordogne, Corrèze.

XIII. CLERMONT-FERRAND

Allier (F.Z.), Puy de Dôme, Cantal, Haute-Loire.

XIV. LYON

Saône et Loire (F.Z.), Jura (F.Z.), Loire, Rhône, Ain (F.Z.), Haute-
Savoie, Haute-Loire, Isère, Savoie, Ardèche, Drôme.

XV. TOULOUSE

Gironde (F.Z.), Landes (F.Z.), Basses-Pyrénées (F.Z.), Lot et Garonne,
Lot, Gers, Tarn et Garonne, Hautes-Pyrénées, Ariège, Haute
Garonne, Tarn.

XVI. MONTPELLIER

Aveyron, Lozère, Hérault, Aude, Pyrénées-Orientales.

XVII. MARSEILLE

Hautes-Alpes, Gard, Vaucluse, Basses-Alpes, Bouches-du-Rhône, Var, Alpes-Maritimes, Corse.

At present the following are not included in any region:

1. Moselle, Bas-Rhin, and Haut-Rhin, attached to the Reich.
2. Seine, Seine et Oise, and Seine et Marne.

Each regional prefect is assisted by a private secretary (*directeur de cabinet*), chosen from the ranks of sub-prefects (Decree published on August 9, 1941), by a regional secretariate-general (*ibid.*) and a deputy prefect (*préfet délégué*), more especially in charge of the administration of the chief department of the region, who has the rank and pay of a prefect (*Arrêté* published August 10, 1941).

Regional prefects at the present moment have regional powers only with regard to the police, economic questions, and the discipline of officials. The corresponding heads of departments in the prefecture in which they reside qualify as 'regional directors.'

In economic matters regional prefects are assisted by an *intendant des affaires économiques*, selected for his special qualifications and appointed by an *arrêté* of the Secretariates of the Interior and National Economy.

A law published on August 26, 1941, defines the powers of the regional prefects in economic matters. Their authority, by virtue of this text, covers agricultural and industrial production, supply, labour, transport, and national equipment. Decrees set out the ministerial powers that are transferred to the regional prefects, and each regional prefect then fixes by *arrêté* the allocation of the respective powers of his regional departments and of the prefectures in the *départements* that make up the region.

The regional prefect, assisted by the *intendant des affaires économiques*, has authority over the regional heads of departments who are responsible to the 'economic' (*sic*) Secretaries of State—namely, those for National Economy and Finance, for Agriculture, for Supply, for Industrial Production, for Labour, and for Communications.

Periodically, and at least every two months, a conference brings together the 'economic' Secretaries of State, the Secretary of State for the Interior, and the regional prefects or the intendants.

The granting of economic powers to the regional prefects was essentially intended to put an end to the "*autarcie départementale*" denounced by the Secretary of State for Supply as one of the causes for the bad distribution of commodities (Statement of March 24, 1941).

In police matters the regional prefects are assisted by an

'intendant de police' appointed by an order from the Secretary of State for the Interior. By virtue of a law published on June 11, 1941, the police powers conferred on a regional prefect may, by order of the Secretary of State for the Interior, be entrusted for one or more *départements* of the region to the prefect of one of those *départements*. This was done with regard to the Alpes-Maritimes and the Basses-Alpes attached to the prefect of Nice (*Arrêté* published on June 12, 1941).

Lastly, with regard to the discipline of officials, the regional prefect can for reasons of law and order suspend all officials and agents of the State, on condition of reporting to the Vice-President of the Council and the Secretary of State concerned; he has full powers in everything concerning the agents of the *départements* and communes (Law published on August 12, 1941).

2. THE DÉPARTEMENT

Under the law of August 10, 1871, the State was represented in each *département* by a prefect assisted if necessary by one or by two secretaries-general. The affairs of the *département* were administered by an elected General Council, which itself elected a committee for the *département* from its own members, but its only executive agent was the prefect.

The laws of October 12 and 27, 1940, February 7 and March 9, 1941, "suspended" the General Councils and their committees, and transferred their functions to the prefects. In each *département* the prefect is assisted by an administrative committee of seven to nine members, at least three of whom must have belonged to the suspended General Council, appointed by the Secretary of State for the Interior. The committee is compulsorily consulted upon budgetary and fiscal questions, projected loans and business upon which the General Council was accustomed to make final decisions. Its opinions are purely advisory and it is prohibited from making suggestions; it can meet only when convened by the prefect and can deliberate only on questions included in its agenda.

For the financial year 1941 the prefects have been empowered to draw up budgets without consulting the administrative committees.

In the *département* of the Seine, as a temporary measure, the General Council, which meets no longer, has been replaced by a consultative Budget Committee of ten, five of whom are members of the General Council. Its powers were transferred to the prefects of the Seine and the police (Law of December 26, 1940, extended by a law of April 27, 1941). The powers of the

suspended General Council were theoretically extended (Law of April 23, 1941).

Again, the powers of the prefects to take decisions have been strengthened by numerous laws, especially with regard to the finances of the communes (Law and *Arrêté* published August 6, 1941). Their independence of local elements was increased by the abolition of the various allowances paid to them out of the budget of the *département*, which have been replaced by the grant for official expenses paid to them by the State (Law of December 2, 1940, and Decrees of January 7 and 10, 1941).

Private secretaryships to prefects of *départements* were abolished by allowing them to lapse (Decree published August 9, 1941).

Many prefects were relieved of their duties and replaced by others; almost all the others were transferred to new *départements*.

The members of the Conseils Généraux and the Conseils d'arrondissement were relieved of all the administrative functions they exercised in that capacity and replaced by persons appointed by the prefects and sub-prefects (Law published June 26, 1941).

3. THE ARRONDISSEMENT

In the French administrative organization the *arrondissement* was a division that was practically defunct and retained purely for electoral purposes. The powers of sub-prefects had, however, been increased for some years past, especially with regard to the financial supervision of the communes.

The law of October 12, 1940, suspended the sittings of the *conseils d'arrondissement* and transferred their powers to the sub-prefects.

4. THE COMMUNE

The essential cell of French local life has always, since the Revolution, been the commune. Under the Municipal Law of April 5, 1884, all the communes of France were administered by elected Municipal Councils; each council in turn elected from within itself a mayor and deputy mayors, making up the corporation.

Until a recent date the city of Paris was the only exception to this rule. The powers of the mayor were exercised by two State officials, the Prefect of the Seine and the Prefect of Police. As a result of grave abuses in its management the city of Marseilles had finally also been placed under the authority of a State administrator.

The new legislation covers three different systems.

(i) *Small Communes*. In communes of not more than 2000 inhabitants, that is to say in the great majority of the rural

communes—35,292 out of 38,014—the former régime is continued. At the same time the powers of the existing councils are extended and new elections adjourned until further orders (Law of March 21, 1941).

The Government nevertheless makes large use of its right to dissolve the municipal councils and replace them by delegations nominated by itself. Mayors, deputy mayors, and municipal councillors can also be suspended by prefect's order for a maximum period of three months. They are revoked by ministerial order. Independently of this mayors and deputy mayors can again be declared to have "resigned from office" by a ministerial order, and municipal councillors by a prefect's order (Law of November 16, 1940, altered by a law published on July 19, 1941).

By virtue of a decree of January 21, 1941, town clerks can no longer be confirmed in their posts unless they have passed a departmental qualifying examination. Communes too poor to pay a town clerk can combine to employ a single clerk to act for several communes.

(ii) *Communes with more than 2000 Inhabitants.* For communes of more than 2000 inhabitants the mayors, deputy mayors, and municipal councils are henceforth appointed and no longer elected.

The mayor and his deputies are nominated by the prefect if the commune does not exceed 10,000 inhabitants, and by the Secretary of State for the Interior if it does.

The municipal council is nominated by the prefect from a list drawn up by the mayor and containing twice as many names as there are vacancies if the commune has 50,000 inhabitants or fewer, and if more, by the Secretary of State from a list drawn up by the prefect in consultation with the mayor.

Mayors, deputy mayors, and municipal councillors of communes of more than 10,000 inhabitants can be declared to have "resigned from office" by a ministerial order (Law of November 16, 1940, altered by a law published on July 19, 1941).

The municipal council can include only taxpayers, but not persons in receipt of public assistance, nor members of national assemblies. It must perforce include a father of a large family, a representative of the workers' unions, and a woman. The first woman nominated was for the commune of Saint-Raphaël in the Var (*Le Temps*, December 29, 1940).

The mayor may receive 'official expenses,' the amount of which is voted by the council and fixed by the prefect (Decree of April 5, 1941).

The town clerk may not hold any other paid employment either public or private. In communes of from 2000 to 10,000 inhabitants he can only be appointed after a departmental qualifying

examination, and in more important communes after a competitive examination (Decree of January 21, 1941).

It must be noted that the powers of existing municipal councils had to be temporarily extended by the law of April 10, 1941.

(iii) *Large Cities.* The cities of Paris, Lyons, and Marseille are each to be given a special charter of its own.

A temporary régime was set up for the city of Paris by the law of December 26, 1940 (itself extended by a law of April 29, 1941). The municipal council, whose powers were in theory extended, but whose sittings were suspended, was replaced by a consultative Budget Committee of ten members, five of whom are municipal councillors. The budget of the city of Paris for 1941 amounts to 4454 million francs, as against 5032 millions in 1940 (*Le Temps*, February 1, 1941).

There is a question of incorporating in the city of Paris certain suburban communes such as Neuilly, Boulogne, Vincennes, Clichy, St-Mandé (Statement by the Prefect of the Seine, *Le Temps*, March 21, 1941).

The Prefect of the Seine is assisted by two secretaries-general (Decree published on July 15, 1941).

The régime of the city of Lyons was fixed by a law published on June 1, 1941. The municipal council contains thirty members, including the mayor and his deputies, nominated by the Secretary of State for the Interior. The councillors and members of the corporation can be suspended for three months by an order of the prefect, and dismissed or declared to have resigned by a ministerial order. All appointments of municipal agents must be approved by the prefect. M. Edouard Herriot was replaced as mayor by Georges Villiers, a mining engineer (Order published June 21, 1941).

JUSTICE

DOUBTLESS the Vichy dictators, who plume themselves on restoring France's morals under the sign of the National Revolution, considered that in the sphere of civil law the judicial organization was perfectly as it should be. They instituted no reforms in it. And yet that law system, slow, costly, hidebound, and with no true independence, was the real scandal of the previous régime. Everything in this sphere should have been abolished, if it was meant that France should have judges at last.

Marshal Pétain only concerned himself with justice to cause it to disappear by turning it into a government instrument of politics and police. Thereby he covered himself with a dishonour that nothing can wash away.

French magistrates—and this was the direct opposite of the position of their British colleagues—saw their whole career subjected to the good will and pleasure of the Government. That is to say that their impartiality in any case of a political nature was merely theoretical. And furthermore, the magistrates in charge of preliminary investigations of cases—the *juges d'instruction*—and the magistrates in charge of prosecutions—the *procureurs de la République* and the *substituts* (public prosecutors and deputy prosecutors)—were officially under the orders of the Minister of Justice.

In order to govern in the teeth of public opinion, Marshal Pétain could no longer be content to turn to judges who were only half his creatures—he needed agents devoted body and soul to his person and his undertaking.

We have seen already how by the device of ‘administrative internment’ he had assumed the right to arrest and detain indefinitely in prison any person he pleased without an examining magistrate being called on to discover whether any crime or offence had been committed (see Chapter II).

But there are persons who must be brought to trial. The Marshal therefore went one step further and set up exceptional jurisdictions, to try certain political offences, substituting them for the common law courts, and thinking that they would be more subservient: the Supreme Court of Justice and the Court Martial. Soon he added a third tribunal, the Special Criminal Court, more

especially charged with the trial of 'accapareurs'—that is to say, in practice, Jews and industrialists or traders not in favour of the Government.

These supreme organs of pseudo-justice, however, could not possibly pretend to sit in judgment on acts that, as resistance increased, were reckoned not in ones and twos nor in dozens, but soon in hundreds and thousands. Special courts were then created to deal with 'night offences'—that is to say, assaults such as were committed on German soldiers or agents and accomplices of the enemy. Then all military courts were authorized to transform themselves into courts martial. Special divisions of the same military courts and appeal courts were finally set up to deal with what were called communist or anarchist plots.

The last and most iniquitous measure was adopted by Marshal Pétain directly after his speech of August 12, 1941. A 'Council of Political Justice' was charged, in view of the shrinking of the Supreme Court from the task, with preparing the judgments the Marshal intends himself to pronounce against those whom he pretends to regard as responsible for our disaster.

No doubt he will go still further presently.

Before analysing the enactments relating to these various jurisdictions let us note:

(1) That the Cour de Cassation, the Supreme Court of Appeal, was reinstalled in Paris from the beginning of August 1940, while the Council of State sits at Royat; and

(2) That temporary provisions regulate the territorial competence of the Conseils de Préfecture and the judicial tribunals in accordance with the occupation of part of the territory and the difficulty of communications by sea (Laws of January 24 and 25, 1941).

I. The Supreme Court

1. ORGANIZATION AND PROCEDURE

The Cour Suprême de Justice, the Supreme Court, the body which had been substituted for the Haute Cour, the High Court of the Senate, was created, in accordance with the provisions of Constitutional Act No. 5 of July 30, 1940, by the law of July 30, 1940, which laid down the regulations for its organization, its competence, and its procedure. This law was modified or supplemented by the laws of August 13 and September 3, 1940, and the decree of September 24, 1940 (itself modified by an *erratum* published on September 28, extending the competence of the Court to the crime of corrupt practices).

The Court at present sits at Riom.

A secretariate is attached to it (Law published October 9, 1940) and it has at its disposal a prison (Law published September 23, 1940), the country estate of Bourrassol, situated at Ménestrol (Puy de Dôme).

The Court is presided over by M. Caous, President of the Chamber to the Supreme Court of Appeal. Its members at the present time are M. Taon, Admiral Herr, General Watteau, MM. François-Olivier-Martin and Jean Benoist. The procureur-général (the prosecuting officer) is M. Cassagneau, and the avocats-généraux (deputy prosecuting officers) are MM. Gabold and Bruzun.

The costume of the members of the Court includes a red robe and white cap. The president and the procureur-général wear also the red mantle and ermine collar (Decree of December 29, 1940).

The procedure before the Court is that laid down by the code of criminal procedure (Decree of August 15, 1940).

2. COMPETENCE AND INQUIRIES IN PROGRESS

The Supreme Court is charged with the trial of Ministers, ex-Ministers, and their immediate subordinates, as well as their accomplices and accessaries:

- (1) Who committed crimes or misdemeanours or betrayed the duties of their office in acts contributing to bring about the passing from a state of peace to a state of war before September 4, 1939, and those which subsequently aggravated the consequences of the situation thus created; and
- (2) Who since a date not specified committed acts of misappropriation of public funds and corruption and embezzlement, or betrayed the duties of their office by speculating in the values of the national currency, or by making an improper use of the funds under their control.

The procedure followed before the Supreme Court is that laid down by the code of criminal procedure (Decree of August 13, 1940).

Three inquiries have been begun in the first place:

- (a) The first is directed against MM. Daladier, Pierre Cot, Guy La Chambre, Léon Blum, and General Gamelin, and falls within the first category above.
- (b) The second is directed against M. Georges Mandel, and falls within categories (1) and (2).
- (c) The third is directed against M. Paul Reynaud and his two former collaborators, MM. Lecas and Devaux, and falls within category (2). MM. Lecas and Devaux have already been condemned for desertion by the Military Tribunal of the 13th Region on November 15, 1940.

It should be noted that M. Jean Zay was subjected to a different procedure. Tried for desertion in face of the enemy, he was condemned by a military tribunal to transportation and deprivation of military rank (October 4, 1940).

A fourth inquiry was opened on April 22, 1941, against the Comptroller-General Jacomet, ex-Secretary-General to the Ministry of War, for default in the duties of his office (insufficient production of war materials).

Although, by virtue of his proper powers, Marshal Pétain had already, in October 1941, sentenced a certain number of persons placed on trial before the Supreme Court, it appears that this Court is continuing its investigations.

II. The Court Martial

The Court Martial was created by a law of September 24, 1940, after the affair of Dakar. Its creation was justified on the same day in the following terms by the Council of Ministers:

It is because the Government is aware that M. de Gaulle [*sic*] has accomplices in France, whose activities were recently displayed and may be continued, that in its high solicitude for the national safety it has set up a summary and sovereign jurisdiction, inspired solely by the necessities of public welfare, qualified to pronounce the appropriate penalties against traitors.

The Court Martial tries persons sent before it for crimes and intrigues against the integrity and safeguarding of the country.

It was also to have tried persons guilty of serious acts of monopolizing goods or selling them above the controlled prices (Law published in the *Journal Officiel* of September 29, 1940), but cases of this kind have been transferred to the Special Criminal Court.

The Court Martial is composed of a President (General Duffieux) and four members (General Huré, Admiral Cadard, MM. Vaudremer and Meaux). Deputy members may be appointed (Law of February 22, 1941). A Government Commissary conducts the prosecution.

The Court regulates its own procedure, pronounces judgment within two days, and may inflict penalties ranging from imprisonment to death. Its judgments are not subject to appeal, and are enforceable within twenty-four hours.

The Court sits in the court-house of Gannat.

The Court has a recorder and a chief-secretary.

The inquiry directed against Captain Robert, accused of having incited the crews of certain ships to go over to the service of General de Gaulle, ended in acquittal. On the other hand, on

February 25, 1941, the Court sitting behind closed doors pronounced four sentences of terms of transportation with hard labour (*Le Temps*, February 27, 1941).

III. Other New Jurisdictions

1. THE SPECIAL CRIMINAL COURT

The Court Martial has been deprived of its powers with regard to cornering and hoarding of goods and illicit raising of prices, in favour of a Special Criminal Court, by the law of March 21, 1941 (modified by a law published on June 4, 1941).

This Court, which is to have at its disposal means for swift and extensive investigations, and all the penalties provided in the penal code, is to be brought into action not so much because of the nature of the offences but their importance, or in other words, "their importance and their economic and psychological significance."

It tries the individuals brought before it in these conditions, for cornering, hoarding, illicit increase in prices, or any other schemes injurious to supply, distribution, and consumption.

The members of the Court are appointed by the Keeper of the Seals.

The Criminal Court is to have two divisions, one sitting at Paris and the other at Gannat (Decree published May 30, 1941).

2. THE COURT FOR NIGHT OFFENCES

A law published on May 11, 1941, decreed that within the jurisdiction of each Court of Appeal there should operate a special tribunal to try the perpetrators of thefts during the black-out. Thefts regarded as criminal, if the guilty persons have employed violence or were in possession of a weapon, may entail the death penalty.

The case must be tried within eight days: the tribunal gives judgment within the following ten days, and its judgment is not open to appeal or annulment.

We should note that since September 1941 attacks on German officers have steadily increased. The German Command is, in consequence of these attacks, shooting numbers of hostages, which has profoundly shocked the whole civilized world.

3. MILITARY TRIBUNALS AND SPECIAL DIVISIONS

By virtue of a law published on June 29, 1941, applicable in the mother-country, Northern Africa, and the Levant, military

tribunals can be transformed into courts martial, even outside cases of *flagrante delicto*, to try offences against the Code of Military Law and against the ordinary penal laws.

The transformation into a court martial may be ordered at any moment in the proceedings, and takes immediate effect. The court gives judgment in the conditions laid down by the law of December 10, 1940. Sentences are to be carried out immediately, and are not open to appeal.

A law published on July 4, 1941, lays down the rules for the purging of default or contumacy in cases of judgments given by naval courts. In particular, it defines the conditions in which a court of common law (going beyond the law of February 22, 1941) or a naval court other than that which pronounced judgment may be called upon to decide the appeal and give judgment on the merits of the case.

A law published on July 13, 1941, laid down similar prescripts with regard to judgments by default or contumacy given by military courts.

It should be noted that the laws of February 3 and February 27, 1941, suppressed the system of the favourable minority in military and naval courts, so that verdicts of guilty can now be pronounced on a simple majority vote.

A law of August 14, 1941 (altered by a law published on August 26, 1941), against anarchist and communist activities, institutes in each naval or military court special divisions to which are transferred the perpetrators of all penal offences whatsoever committed with communist or anarchist intentions. In the occupied zone the same rôle devolves upon special divisions of the Court of Appeal composed of five magistrates deciding "without setting out their reasons, and pronouncing only on the question of guilt and on the penalty." In cases of *flagrante delicto* no investigation precedes the trial. There is no delay between the citation and the meeting of the special division; failing a counsel for the defence chosen by the defendant and present in court, the presiding judge appoints one.

No appeal is possible. The sentence pronounced (which may go as far as the death penalty) may not be less than that provided by the legal clause covering the description of crime before the court; nor when the defendant is a soldier or an official may it be less than the maximum provided by the said clause.

IV. Council of Political Justice

In his speech of August 12, 1941, Marshal Pétain announced that he intended to make use of the power he had conferred upon

himself by Constitutional Act No. 7 of January 27, 1941, to pass judgment himself on the Ministers and Secretaries of State and high dignitaries and high officials "who had held office during the past ten years."

And as a beginning, since the proceedings before the Court of Riom have come to nothing, it is said because it has been impossible to find a procureur-général willing to conduct the prosecution, the Marshal has decided that he will himself try the defendants sent before the Court. A communiqué states that "the Marshal has to this end decided to create a Council of Political Justice which will place its suggestions before him. This Council will make use of the investigations carried out by the defunct Court of Riom. The Marshal will pronounce sentences in accordance with the proposals of the Council. . . . The Council of Political Justice will send its proposals to the Marshal before October 15" (Radio-Paris, August 18, 1941).

In accordance with the recommendations of the Council of Political Justice, Marshal Pétain in October 1941 pronounced a series of sentences of imprisonment in a fortress for life.

NOTE

THE TRIBUNAL D'ÉTAT

Since this chapter was written a new exceptional jurisdiction has been brought into function, the 'Tribunal d'État,' created by law No. 3883 of September 7, 1941.

The Tribunal d'État, some of the members of which are not even smagistrate by profession, tries principals and accessories in the case of all actions, plots, or activities of a nature to disturb public order, internal peace, or international relations, or generally to injure the French people. It can pronounce, after summary proceedings, any sentence, including the death penalty. Its decisions are not subject to appeal.

We should note in the same order of ideas law No. 4553 of October 25, 1941, which imposes heavy penalties on all persons who, having cognizance, fail to denounce those responsible for crimes or *plans of crimes* such as arson, explosions, damage to means of transport, sabotage of electric installations, etc.

SECTION II

THE RENOVATION OF THE POPULATION

GENERAL OBSERVATIONS

By reforming divorce legislation, by improving the lot of large families, by giving a new impetus to physical education and sport for the young, the Vichy Government has rendered real service to the cause of improving the population. By practising a purely quantitative policy with regard to the birth rate, by excluding certain elements from the population for racial or political reasons, by giving the young a moral education of purely partisan nature, it has betrayed its duty to the country.

I. Importance of the Problem of the Population

The problem of the population is the most anxious one of all for France. It has always been shirked or ignored by the parliamentary assemblies that succeeded one another in power.

This problem is one of quantity and of quality at the same time.

1. THE QUANTITATIVE ASPECT

Some details principally taken from the *Encyclopédie française* (vol. 7) enable us to state the quantitative problem in France with accuracy.

The population of France is practically numerically stable. Between 1850 and 1890 it had only increased by 7 per cent. as against an average of 36 per cent. for the whole of Europe; since 1890 there has been hardly any increase except from the return of Alsace and Lorraine. If for the last six years the number of deaths slightly exceeds that of births, the gap has been filled up by the incorporation of foreign elements. But the fact is that we are at the peak of a curve that must henceforth fall with increasing steepness.

The quantitative aspect of the problem may be expressed in a few simple figures. In 1810 the population of France represented 15·2 per cent. of the population of Europe, or in round numbers one-seventh; in 1930 it was no more than 8·8 per cent. or just about one-twelfth. If in a century the annual number of deaths

has fallen from 800,000 to 600,000, the number of births has also dropped from 1,000,000 to 600,000.

What do these figures signify? That the decrease in the number of births has been balanced by the prolongation of the average life as a result of the progress in medicine, in surgery, and hygiene. But this prolongation has a limit. Merely to establish an equilibrium, with no change in the birth rate, the death rate would need to be reduced to five-sixths. Thus the prolongation of life will play its stabilizing part only for a little, and furthermore, its one result is to turn France into a country of the old.

The distribution of the French population by age-groups; for every thousand inhabitants, is as follows:

—	1851	1901	1931
1 to 19 years of age (young people) . . .	361	347	304
20 to 59 " (adults) . . .	537	529	556
60 years of age and over (old people) . . .	102	124	140

If the death rate was unchanged, in order that the population might remain unchanged also, the birth rate would have to rise by 16 per cent.

Setting aside for the moment the military problem of the steadily shrinking annual contingents, which meant that to face 200 German divisions France could only put 100 in line, the transformation of the methods of war has deprived the mere number of opposing effectives of a great deal of its importance. None the less the decrease of the active part of the population has very serious repercussions on the life of the country.

And in the very first place, whether in the shape of pensions or allowances or the like, the active population must devote a part of its activities to ensure the subsistence of that section of the population which has become unfit for work. This is an indispensable activity, but one that is a complete loss for the country. Now the more the percentage of old men compared with able-bodied men increases the greater must this lost activity become. France must finally find herself crushed beneath the burden of her old men.

But this again is merely a secondary aspect of the problem.

The crucial point is this. For a country to be able merely to live—that is to say, to subsist without increasing its wealth—the value of its production must be equal to the value of its consumption; if it is otherwise it must pay the difference to the

foreigner, and part with either its gold or its real or movable estate. That is an unescapable necessity. For a country to increase its wealth its production must exceed its consumption in value, with the foreigner paying for its excess production.

Now to produce demands labour, and labour can be recruited only from the active section of the population. And this is as true of intellectual production as of agricultural and industrial. When France no longer possesses the brains and the muscles necessary to balance production and consumption, she will be obliged to disappear from the map of the world as a Great Power; all she can do will be to take her place in some sort of economic system devised and directed from somewhere outside herself.

2. THE QUALITATIVE ASPECT

But even when we are examining the quantitative aspect of the problem we constantly find ourselves touching on the qualitative. Each time we have mentioned the active section of the population we have in reality brought out the fact that there is only one section of the population whose work is of value. We must carry the analysis further.

Suppose all men from twenty to fifty had the build of athletes and an iron constitution. It is very obvious that they would produce far more than weaklings. Suppose on the contrary that all the men from twenty to fifty were constitutionally weak, or that for some reason or other they refused to work, production would fall to zero. Hospitals and workhouses would take the place of factories.

The problem is therefore much less one of having a numerous population of poor physical and moral quality than of having a population, perhaps less numerous, but physically and morally robust.

II. The Position adopted by Vichy

The Vichy Government has only attempted to deal with the quantitative problem. It has confined its positive qualitative measures to an extension of physical culture and sport for the young. It has done nothing to improve individual morals (repression of vice, more efficient working of justice), any more than it has to obtain a really select population. It has, on the contrary, put into practice a policy the reverse of qualitative in excluding certain elements from the population and giving the youth of the country an unsound moral education.

The attitude of the Vichy Government is explained by certain racial or political considerations.

I. RACIAL CONSIDERATIONS

There is no French race. This is a fundamental idea that must never be lost sight of when we are studying the problem of population. The doctrine of race may have some foundation in the Anglo-Saxon countries or in purely Latin countries; there is no real basis for it in metropolitan France, and still less, of course, in the French Empire.

If we limit the problem to metropolitan France, we must realize that if there is no French race there is a population that is specifically French. It is the glory that can never be denied to the French Revolution—to have given the population of France consciousness of its existence and its unity. However different Bretons may be from Provencals by race, Basques from Alsatians, Lorrainers from the people of Normandy, there is no doubt that they have all been melted down together in a single crucible. All have a manner of thinking and behaving, traditions, and a sensitiveness, that make them members of one and the same nation.

That Hitler and his lieutenants should have exerted themselves to break up this unity is the most natural thing in the world. It is not so easy to conceive that they should have found among the rulers of France men disposed to help them in their work. The development of the idea of provinces or regions fosters this purpose. By developing local particularisms they hope to arrive at a series of autonomous areas which will break down the unity of France. By differentiating between French subjects on account of their origin, they are trying to carry out the same operation by another method.

In order to comply in principle with totalitarian theory, a compliance that was linked with the desire to create vacancies in employment, the Vichy Government entered on a policy of racial discrimination. It has accepted that, on the one hand, French subjects whose father was not French, and, on the other hand, Jews, were to be excluded from all public posts and from a certain number of private occupations.

Now this system is just possible to conceive if the criteria adopted corresponded to any reality, if, on the one hand, all Frenchmen whose fathers were not French and all Jews were to be looked upon as not identified intellectually and morally with the French population, and if, on the other hand, all other persons who possessed French nationality were really endowed with the qualities that are characteristically and specifically French. Merely to set down these criteria is sufficient to bring out their absurdity.

2. POLITICAL CONSIDERATIONS

But the Vichy Government did not stop there. Not content with having, for ostensibly racial reasons, curtailed the rights of certain Frenchmen, concern for their own personal protection led them, on the one hand, to deprive certain authentic Frenchmen of their nationality, and, on the other, to direct the education of the young in such a way as to serve a particular policy.

Measures of denationalization are essentially aimed at the Frenchmen who have joined General de Gaulle. Even admitting that they were conditioned by the terms of the armistice, none the less they constitute a flagrant injustice. If the Vichy Government has the right to organize the judicial suppression of Gaullism, regarded as an attack upon the unity of French territory (?), if it has a right to lay down penalties, even severe penalties, it has no right to decide that a Frenchman is no longer a Frenchman because he has a different conception of the national honour from that of Vichy.

Furthermore, by training the young to accept the idea that vanquished France is responsible for her defeat, that she must expiate her shortcomings by suffering and by submitting to the will and wishes of her conqueror, the Vichy Government is creating an inferiority complex that will lie heavy on their whole future. Instead of inspiring them to lift up their heads and revolt against the caprices of the enemy, it teaches them to cringe and beat their breasts and proclaim their unworthiness. If it has need of this expiatory attitude to cover up its policy, it is committing a crime against the Nation by encouraging it.

3. CONSIDERATIONS OF PUBLICITY

The Vichy Government, finally, in launching out into a policy of fostering the birth rate was actuated only by a desire to obtain a low and demagogic publicity. It cost very little, at the present value of paper money, to be lavish with family allowances, and to cover itself with the glory of being the first to do something for the French family.

It did not concern itself to discover whether it had the right to encourage the birth of children when it was without the means of feeding them. A policy for increasing the birth rate should not be set up in a period of hunger and distress, for it is a crime to bring children into the world who will always be far from robust through having been under-nourished and without certain essential means of medical care. Those children can never be anything but victims, men insufficiently armed for the battle of life.

III. The One Real Policy with Regard to the Population

And yet, in opposition to this sectarian policy, there is room for a high policy with regard to the population, a policy such as would allow France to resume her rank in the world. This policy itself includes two complementary aspects.

1. THE PRINCIPLE OF ASSIMILATION

The Jewish problem exists, even in France. It is an undeniable fact, and no realistic policy can be blind to it.

It is not enough to say that the problem of the Jews is the problem of the Armenians, the Slavs, or the Arabs, for this is to disregard an essential factor. The Jewish race constitutes an international community. If we exclude the Jewish State of Palestine, an artificial creation, the Jewish race has no territory of its own, and yet its members behave as if they belonged to a single nation. Among them there exists an absolute unity of language, of traditions, of intellectual and moral education. As the Jew is seldom a farmer—which can be explained by the fact that for many generations and in many countries he has not been allowed to be a farmer—he is not attached to the soil; he more readily engages in industry, trade, or banking; his profession, instead of causing him to acquire stronger ties with the soil on which he lives, maintains, on the contrary, his international ties.

Granting this, it is not less certain that, with the law of the generations operating on them, even though with greater difficulty than on others, most Jews have become genuinely French, German, or English. On the other hand, there is a total lack of assimilation among Jewish immigrants of recent date, whether they come from Eastern Europe or from Germany.

The Jewish problem cannot be disassociated from the problem of foreigners. Jews who have only recently acquired French nationality, and who are unassimilated, must be subjected to the same measures of restriction as French subjects of recently acquired nationality who are unassimilated. To obtain French nationality in the future they must fulfil the same conditions as all other foreigners.

For if an anti-foreigner policy easily becomes popular, we must not shut our eyes to the fact that it runs counter to the interests of the nation. It is possible that for the moment, because she is living in a closed economic system and because most of her industrial undertakings are paralysed, France not only does not need to turn to any supplement of foreign labour, but even has an excess of native labour. But this situation will not be the same once the

frontiers have been reopened. For years to come, until a coherent policy with regard to the birth rate has given the country the hands it needs, it will be necessary to call in the foreigner.

In these conditions it is not sufficient to issue police regulations for the exclusion of undesirables; we must have a genuine policy of assimilation leading to the incorporation within the national community of the foreigners necessary to the national economy. It is a long-term policy and one with many ramifications.

In the first place, all foreigners, whether Jews or not, must be deprived of everything that links them to their original nationality. This means that they must be prohibited from using their own language, at least in public, from buying publications in a foreign language, from grouping themselves into autonomous communities with their own schoolmasters and priests. They must as far as possible be scattered throughout the territory. That is the negative aspect of the problem.

The positive aspect consists of obliging all foreigners to learn French, and pressing them to marry French men or French women. We must have quantities of lectures to put them in touch with French thought, and centres or meetings where they will find themselves side by side with genuine French people. Instead of keeping foreigners at arm's-length, the French must endeavour to win them and draw them close.

This policy of assimilation must have its twofold penalties provided in the realm of citizenship and that of naturalization.

If it is unjust to deprive of their French nationality those who, whether rightly or wrongly, have once been granted it, it is quite legitimate for France to reserve public offices and certain management posts for those who have been completely assimilated. It is accordingly legitimate that certain Frenchmen regarded as insufficiently assimilated should be deprived of certain rights, in other words, should enjoy only a restricted citizenship. But this discrimination, by its very definition, can only be exercised by individual measures, and not by general measures such as the Vichy Government has adopted.

The genuine French culture of candidates for these posts should be verified at the moment of their application. We would even allow that this verification should be resorted to retrospectively in the case of individuals who may improperly hold certain posts at the present moment. In this investigation many points should be taken into account, such as the comparative length of time elapsed since the family of the person concerned acquired French nationality or since they came into residence on French soil, the marriages contracted with French subjects or persons of a different race, the links existing with foreign countries, the seat

of their financial interests. A delicate investigation but not impossible.

And the same verification will be called for as a preliminary to every case of naturalization. In all circumstances naturalization must be refused to any individual who is not perfectly acquainted with the French language.

Through this policy the population of France will achieve the homogeneity it cannot do without.

2. PRINCIPLE OF SELECTION

A policy of selective birth rate and of physical and moral improvement of the population must accompany the policy of assimilation.

To dismiss at once from the discussion a minor point, we may make it clear that naturalization, the moral conditions for which we have indicated, must be strictly confined to individuals physically robust and sound in every way. France has no need to encumber herself with sick persons and weaklings.

There remains the more delicate question of selection with regard to babies. Here again it would be foolish to put one's head in blinkers. France should not have children at any cost and of any and every kind. She must turn to eugenics and—it is no use to shrink from the words—to the practice of properly controlled sterilization.

This amounts to saying that marriage must be permitted only between individuals who are completely healthy and capable of producing healthy children; those who do not satisfy this condition should only be allowed to contract a marriage after sterilization. Furthermore, sterilization should be put into effect automatically whenever it may become apparent that an individual is suffering from a disease or infirmity that cannot be cured and is transmissible to his children; and this especially on the occasion of medical inspections for recruits, and the periodical medical inspections that ought to be made compulsory.

Once the marriage has taken place serious measures not left to individual initiative must be taken to ensure that a woman expecting a baby shall have medical care and live in accordance with the essential principles of hygiene. If it appears during the period of pregnancy that the child may not be born healthy and strong, the pregnancy should be terminated under proper official control.

Once the baby is born it should be under continuous medical supervision until it has finished growing. Only on these terms will France have perfectly healthy and vigorous children.

This physical selection must be accompanied by a moral

education or reformation of individuals and institutions. Without entering into details of the measures that should be adopted to suppress gambling, drinking, or dissolute living, we must on the one hand inculcate in the child from his most tender years certain essential ideas; on the other hand, by a reform of the whole judicial apparatus we must give every one the certainty that in all things justice will indeed have the last word.

We are not blind to the difficulties in the way of the moral education of children. The choice of teachers has a preponderating part in this, and a rigorous selection of tens of thousands of school teachers and professors is certainly a material impossibility. A serious effort must nevertheless be made in this direction, even if it entails the reduction of the number of rural schools by arranging the transport of children from one village to another. And this effort can be helped by the adoption of methods which call for a smaller number of executants; courses of broadcast lessons and cinema displays should be organized in all schools, both elementary and secondary. The school will also gain from these a little less barren stiffness and a little more life.

As for the reorganization of justice, it is at the base of the Nation's moral health. It is useless to inculcate in either children or the adult citizen the taste for work, for equity, honour and honesty, the love of country, a feeling for the common interest, if they see all this flouted from day to day.

It is essential that all abuses, in the public as well as the private sphere, should find their judicial retribution. To use a formula that is perhaps out of date, justice must constantly make good triumph over evil, and the good man over the bad.

Justice must be independent, speedy, and cheap. Its independence will come from the methods of appointment and payment of magistrates, its swiftness from the suppression of a whole world of obsolete routine and useless points of procedure, its cheapness from the disappearance of all the intermediaries that the administrative jurisdictions and those of Morocco manage so well without.

Chapter I

VARIOUS MEASURES

I. Preliminary Regrouping of the Population

IMMEDIATELY upon his arrival in power, Marshal Pétain took the necessary steps to request officials to return to their departments and soldiers to their units.

This return of millions of persons to their original homes—mobilized men, prisoners, and refugees—brought up many complicated questions.

1. MOBILIZED MEN

With regard to the soldiers, the Government's policy was very simple. It endeavoured to keep them with the colours as long as possible, up to the limit number of effectives it was permitted by the armistice to retain.

It even released effectives by transforming into civilian bodies corps that had till then been military, such as the *Intendance*, the *corps du contrôle de l'Administration de l'Armée*, the Department of Explosives, etc.

The aim of this policy was simply to avoid throwing fresh bodies of unemployed upon the labour market.

Furthermore, young men who had just been called up in June 1940, and even those who had not obeyed the call in view of what was happening, were incorporated by the Government in the '*Chantiers de Jeunesse*'—the Youth Camps.

Demobilized soldiers received demobilization gratuities to enable them to face the first weeks of waiting before finding work. Various provisions were made to help them to find this work, or to obtain compensating allowances.

2. PRISONERS

The Vichy Government's efforts to obtain the repatriation of prisoners had met with very little success up to the time of the Hitler-Darlan agreements.

In May 1941, liberations or repatriations had amounted to the following figures:

- (a) 28,000 wounded or sick;
- (b) 11,000 members of the medical services;
- (c) 30,000 men interned in Switzerland;
- (d) 7000 farm workers belonging to the occupied zone;

in all 76,000 prisoners out of a total of nearly two million. The German Government had besides admitted the principle of granting leave to 2000 agents of the Department of Woods and Forests, and 10,000 miners belonging to the occupied zone.

3. REFUGEES

The number of the inhabitants of the occupied zone in the free zone as refugees must have been as much as about 3,500,000 persons, not including Belgians.

Their repatriation took about four months. By the end of October two million had gone back to the occupied zone, in 2000 free trains, a million by road (200,000 vehicles, to which 14,000 tons of petrol were allotted) (*Le Journal*, October 31, 1940); of the 500,000 remaining in the free zone, 250,000 belong to the prohibited zone of the North and the East. It should be observed that during the exodus many children were lost. At the end of June 1941 the Government was still endeavouring to find them (Radio-Paris, July 1, 1941).

Since December 1 allowances are no longer granted except to refugees who show that they cannot return to their homes, and who are registered at the *Départemental* Office of the Ministry of Labour. According to the size of the communes the allowance varies from 10 to 15 francs a day for a single refugee, 6 to 10 francs a day for a wife or husband, 7 to 12 francs a day for each child. The total of the allowance and the private means of the refugees must not exceed by more than 50 per cent. the amount of the allowance as above.

II. Repression of Vice

The National Lottery, the disappearance of which in the name of morality had been announced with loud trumpets (see in particular *Le Journal* of August 12, 1940), has been re-established; only the special portion called the 'Grand Prix de Paris' has been suppressed (*Journal Officiel* of May 3, 1941). It is true that the proceeds of the Lottery are to be paid into the Secours National—the National Relief Fund (Law published on May 10, 1941).

Similarly the games have been re-established in the casinos, but an additional levy on their turnover (from 1 per cent. on the part

not exceeding 1,500,000 francs to 8 per cent. on the part exceeding 15,000,000 francs) is made for the benefit of the Secours National (Law published May 10, 1941).

The pari mutuel and even the P.M.U. (*pari mutuel urbain*) are working on the reopened racecourses (Law of January 8, 1941).

A law of August 23, 1940, laid down that all *apéritifs* containing more than 16 per cent. of alcohol were prohibited; other *apéritifs* can be sold only on three days in the week, and not to minors of twenty and under; they are subjected to a surtax. While the duties on alcohol are increased, the sale of wine and distilled drinks (brandy, cognac, armagnac, etc.) remains free; in this regard it is pointed out that moderate use of these beverages, which have contributed largely to the reputation of France abroad, is in no way injurious (see particularly a statement by the Secretary of State for the Family, August 23, 1940).

A law published on July 22, 1940, however, abolished the privilege of the home distiller, whose numbers had increased from 1,033,522 in 1914 to 3,104,352 in 1939; by virtue of this text home distillation is prohibited, the contract system done away with, and meters must be fixed upon all distilling apparatus.

By virtue of the same law the state of drunkenness can no longer in any case rank as an extenuating circumstance before the courts.

Finally, a law published on November 6, 1940, provided for the establishment by prefect's order of prohibition areas around churches, schools, and hospitals.

A law published on July 30, 1941, prohibited the delivery of letters sent *poste restante* to minors under eighteen.

Chapter II

THE EXCLUSION OF ‘SUSPECT’ ELEMENTS

THE first measure adopted by the Vichy Government to improve the French population was to exclude from it certain elements regarded as ‘suspect,’ or to curtail their activities.

Certain of these measures fall within the frame of what might be called the Government’s racial policy, and are aimed at foreigners, recently naturalized Frenchmen, and the Jews. Others are aimed at the ‘dissident’ followers of General de Gaulle.

I. Racial Policy

The Government has decreed the creation of a Higher Committee for Foreigners, under the authority of the Vice-President of the Council, which will contain among its members the Commissary-General for Jewish Affairs (Radio-Paris, May 17, 1941).

I. STATUS OF FOREIGNERS

The Government has not greatly altered the status of foreigners properly so called. The existing laws in any case armed it with sufficient police powers, among them the right of expulsion or restraint.

It has merely added to the existing regulations the prohibition against travelling outside the commune in which the individual resides without a regular travel permit (Decree of November 1, 1940).

We must remember, further, that by virtue of Article 19 of the Franco-German armistice “the French Government is bound to surrender on demand all German subjects designated by the Government of the Reich who are in France or in the French possessions, the colonies, or territories under protectorate or mandate.” The German Government has on several occasions made use of this clause to obtain the surrender of political refugees, and even of non-German refugees such as Czechs or Hungarians.

There is no analogous clause in the Franco-Italian armistice.

The essential measures adopted with regard to political refugees are included in a law published on October 1, 1940. Foreigners supernumerary to the national economy who are not disposed to

leave France may, if of the male sex and between eighteen and fifty-five years of age, be collected into special groups of workers. Foreigners summoned to take their place in these groups are designated by the Secretary of State for the Interior, but the groups themselves are under the Secretary of State for Industrial Production. Foreigners belonging to this group receive no wages; they are given a bonus on output. Their families receive a special allowance (the rate of which was fixed by a decree published on June 19, 1941, and the conditions for the grant by an order published on July 29, 1941), and this allowance again may be replaced by maintenance in a 'reception centre.'

The penalties for breaches of discipline or for abandoning one's post are relegation to a punishment camp or an internment camp (Decree published March 17, 1941).

It may be noted for information that the number of foreigners in France in 1931 amounted to about 2,900,000, of whom 800,000 were Italians, 350,000 Spaniards, 250,000 Belgians, 500,000 Poles, and 120,000 Russians.

2. STATUS OF FRENCH SUBJECTS OF RECENTLY ACQUIRED NATIONALITY

The law of July 16, 1940, provided that a foreigner who had become French could be deprived of French nationality by decree. The law of July 22, 1940, ordained the revision of all naturalizations granted after June 10, 1927. Several thousands of denaturalizations have already been pronounced by virtue of this text, after the examination of individual records, by a Commission sitting at the Ministry of Justice. Decrees must be placarded and published (Law of November 13, 1940, published April 5, 1941).

Denaturalized persons may present appeals gratuitously before the Secretary of State for Justice during the three months' display of the denaturalization order. Judgment is given by decree on the advice of the Commission mentioned above (Law of March 21, 1941).

Various laws again have reserved the entry into certain professions for Frenchmen whose father was himself French. Exceptions are allowed on military or scientific grounds.

The prohibited professions are:

- (1) All public services of the State, the départements and the communes (Law of July 17 and August 30, 1940).
- (2) The Bar (Law of September 10, 1940).
- (3) Medicine (Law published August 19, 1940).
- (4) Architecture (Law published January 26, 1941).

3. STATUS OF THE JEWS

(i) *The Commissariat-General.* A Commissariat-General for Jewish Affairs was created (Law of March 29, 1941) and entrusted to Xavier Vallat on March 31, 1941. The Commissary is empowered by virtue of the law published March 31, 1941:

- (a) To propose all legislative provisions or regulations and all measures proper to implement the fundamental decisions of the Government relating to the status of Jews, to their civil and political capacity, to their legal qualifications to practise certain professions.
- (b) To provide co-ordination between the various ministries in the matter.
- (c) To arrange, with proper regard to the needs of the national economy, the administration and liquidation of Jewish assets in cases where these operations are prescribed by the law.
- (d) To appoint the appropriate agents.
- (e) To put into operation all police measures regarding Jews demanded by the national interest, within the limits laid down by the laws at present in force.

(ii) *Statistical Data.* The number of Jews in France on the eve of the war was only 165,000 out of the 16,225,000 distributed throughout the world, and out of a total of 10,536,000 in Europe. They represented only 0·42 per cent. of the French population, while in New York, for instance, the 1,728,000 Jews make up one-third of the population of the city (*Encyclopédie française*, vol. 7).

The census of Jews taken in the *départements* of the Seine, by order of Xavier Vallat (*Le Temps*, April 13, 1941), gave the following particulars (which are, however, open to question):

Heads of households:

French, 23,344.

Foreign, 25,071 (13,000 without children).

The greatest number of Jews is found:

In Paris, in the 11th arrondissement (3215).

In the suburbs, in Neuilly (594).

The most favoured professions:

Second-hand dealing, 2533.

Hosiery, 1473.

Dressmaking, 1457.

Ready-made clothing, 1280.

Of 2796 Jewish commercial firms:

744 were concerned with textiles and clothing.

510 with property management.

178 with banking and insurance.

The liberal professions:

Medicine, 741 (out of 5980).

Dentistry, 225 (out of 2413).

Lyrical and dramatic artists, 400.

(iii) *First Measures.* Already before the creation of the Commissariat measures had been taken against the Jews.

Many of them had been affected by the laws we have examined previously relating to foreigners and French subjects of recent date.

But special legislation has been worked out concerning French Jews as well as foreign Jews.

First texts had begun by abolishing the offences of racial and religious libel and abuse, and abrogating the Crémieux decree which granted French citizenship to native Algerian Jews (Law of October 7, 1940; decree of November 20, 1940, modified by a decree of February 12, 1941). These same native Jews have furthermore been prohibited from buying or selling arms and munitions (Law published June 6, 1941). These texts were followed by a law of October 3, 1940 (modified by the law of April 11, 1941, and a law published on May 5, 1941), which fixed the status of the Jews, was applicable in the Colonies (Decree published March 15, 1941), and remained in force until June 1941.

For purposes of this legislation, persons with three grandparents, or two grandparents and a husband or wife, of Jewish race, were regarded as Jews.

Jews were not as such debarred from French nationality, but were excluded from all public employment, from the teaching profession, from subsidized businesses, as well as from managerial positions in the Press, broadcasting, and the cinema. Their entry into the liberal professions was restricted to the percentage fixed by a *règlement d'administration publique*.

Exceptions were allowed on the grounds of certain military services, and in the case of Jews who had won distinction in art, science, or letters. It was an exception of this kind that Henri Bergson refused to take advantage of shortly before his death. No exception has, however, been allowed in favour of children of Jews who died for France.

The application of the law was in any case deferred with regard to prisoners of war and Jews with the colours.

We must note that a system of pensions and temporary allowances was provided by the law published on May 5, 1941 (Article 3), for Jews dismissed from the public services who satisfied or were eligible to satisfy the conditions laid down for obtaining a pension (from the State, from a special retirement fund, or from a State Insurance scheme). Those who do not satisfy these conditions continue to receive their pay for a period fixed by a *règlement d'administration publique*.

In a statement to the American Press (*Journal des Débats*, October 25, 1940) Paul Baudoin, at that time Secretary of State for Foreign Affairs, had made the following comment on the measures adopted:

Did we seek to strike a blow at a race? No. We decided to limit the activity of a spiritual community, which, whatever its qualities may be, always remained outside the spiritual community of France. . . . We cannot permit that positions of command or the task of forming minds may be entrusted to the members of a community whose traditions, sensibilities, and thought have never been specifically French. . . . But if we have insisted on defending the French community against Jewish ascendancy, we have equally insisted on avoiding anything that might look like persecution. No one will suffer either in his person or in his property, and in spheres from which the Jews will not be excluded, there shall be no humiliating discriminations.

In spite of these assertions, the racial measures have been harshly applied even in the unoccupied zone.

(iv) *The Law of June 2, 1941.* The final status of the Jews, taking the place of that fixed by the law of October 3, 1940, was laid down by the law of June 2, 1941.

The following persons are regarded as Jews:

1. Every individual, whatever his religious faith, descended from three Jewish grandparents, or from two if he and his wife are each descended from two Jewish grandparents. Every grandparent of the Jewish faith is regarded as of Jewish race.
2. Every individual belonging to the Jewish faith or who belonged to it on June 25, 1940, if two of his grandparents were of the Jewish race.

It should be noted that to be counted as not belonging to the Jewish religion it is necessary to belong to one of the religions recognized by the State before 1905. The repudiation or the cancellation of the recognition of a child of Jewish race is ineffective.

Restrictive legislation does not apply to Jews who have rendered exceptional services to the French State, or to those whose families have done such services and have been established in France for five generations. Decisions are made by decree or order dealing with each case individually.

Besides the ban on public employment, which continues, the practice of certain professions by Jews is either prohibited or under regulation.

The following professions are prohibited:

- (a) Banker, money changer, and the like.
- (b) Publicity agent, business agent, estate agent, and the like.
- (c) Forest owner.
- (d) Licensee of gaming establishment.
- (e) Publisher, manager, editor, sub-editor of newspaper or periodical (except those of a scientific or religious nature).
- (f) All professions connected with the cinema and the theatre.
- (g) All professions connected with broadcasting.

The following are regulated by decrees of the Council of State:

- (a) The liberal professions.
- (b) Industry, agriculture, and the crafts.
- (c) All legal offices except the magistracy: barristers, solicitors, notaries, etc.

To ensure the application of these enactments a census of Jews was taken. Every Jew was called upon under heavy penalties to send a declaration to the prefect or the sub-prefect before August 1, 1941 (Law published on June 14, 1941, altered by a law published on July 14).

Radio-Lyon, when announcing the promulgation of the new status of the Jews (June 13, 1941), gave some details as to the practical measures that would result. The announcement in particular foreshadowed a census of all houses belonging to Jews. It ended by suggesting that a final settlement of the Jewish question could only be seen as an international matter, but that the Government was obliged to take certain immediate precautions, as the Jews were "speculating against the franc" and were "elements of disruption."

Two decrees published on July 17, 1941, fixed at 2 per cent. the numbers of Jewish barristers, notaries, solicitors, *huissiers*, and *commissaires priseurs*; these numbers again must not exceed the actual numbers on June 25, 1940, with reference to barristers, or on July 17, 1941, with reference to the others. The same percentage applies to students in the university schools, doctors (Decree of August 11, 1941), and architects (Decree of September 24, 1941).

A *règlement d'administration publique* of July 28, 1941, laid down various conditions for applying the law of June 2.

1. It determined in what circumstances a Jew should be considered to be practising a profession forbidden by the law.

2. It laid down that within a certain period Jews must have given up all prohibited professions, offices, or positions, unless an extension has been granted by the Commissary-General "in the interests of the national economy" (the period of grace expires on September 15, 1941, under a decree published on August 17, 1941).

3. It prohibited the disposal of Jewish assets concerned in prohibited offices or employments without the approval of the Commissary-General.

By virtue of a law published on August 26, 1941, temporary administrators are given the widest powers to manage and sell enterprises and assets the Jews are obliged to give up. These administrators are appointed by the Commissary-General for Jewish Affairs, who supervises their activities and can have their

accounts checked by auditors registered with the Courts of Appeal. The proceeds of the sales are paid into the *Caisse des dépôts et consignations*, but a portion is used to create a general fund intended to provide assistance for indigent Jews.

(v) *The Occupied Zone.* In the occupied zone orders issued by the occupying authority established a system equally severe and more harshly applied.

By virtue of an order of September 27, 1940, "those who belong or who belonged to the Jewish religion, or who have more than two Jewish grandparents, are recognized as Jews. Grandparents who belong or who once belonged to the Jewish religion are considered to be Jews."

The following measures were adopted:

1. Jews who left the occupied zone were forbidden to return.
2. Every Jewish head of a household was obliged to be entered in an open register at the sub-prefecture.
3. Every Jewish trader was obliged to put up a notice 'Jewish business' on his premises before October 31, 1940.

By virtue of an order of October 18, 1940, the following are regarded as Jewish enterprises:

- (a) Those whose owners or lease-holders are Jews.
- (b) Those which have a Jewish partner if they are firms working under a collective name.
- (c) Those in which more than one-third of the partners, or participants, or members of the board, or the manager, are Jews, if they are *sociétés à responsabilité limitée*.
- (d) Those in which the chairman or the managing director or more than one-third of the managers are Jews, if they are *sociétés anonymes*.
- (e) Those in which the prefect has found a preponderating Jewish influence.

A return of these enterprises was to be made before October 31, 1940.

Every Jewish enterprise, every Jew, or husband or wife of a Jew, every non-economic corporation containing more than one-third of Jews, was called upon to declare before the same date all shares, interests, sleeping partnerships, and rights in its possession. All transactions disposing of assets carried out by these corporations after May 23, 1940, can be cancelled.

A receiver may be placed at the head of every Jewish enterprise in conditions laid down by the order of May 20, 1940. These receivers are French and are appointed in agreement with the Vichy Government (*Deutsche Bergwerks Zeitung*, April 1, 1941).

Finally, a quite recent order has promulgated a new status for the Jews. In any case of doubt as to the rating of a Jew, every

person who belongs or once belonged to a Jewish religious community must be regarded as Jewish. By virtue of this text all Jews were required to make a new declaration before May 20.

Jews are debarred from certain economic activities, and with regard to the others they can hold neither any of the higher posts nor one bringing them into direct contact with the public. No money compensation is granted (Radio-Paris, May 9, 1941).

According to information which seems correct, 11,000 industrial and commercial establishments managed by Jews appear to have been closed. All the Jewish lawyers, whether of French origin or not, registered at the Paris Bar have been struck off.

II. Anti-de Gaulle Policy

We had occasion in analysing the texts of the two armistice conventions to point out the provisions with regard to Frenchmen continuing to take part in the struggle against the Axis.

It will be remembered that the French Government bound itself by these texts to forbid members of the French Armed Forces to leave French territory (both conventions), to forbid French subjects, on the one hand, to fight against Germany in the service of states with which Germany was at war (Franco-German convention), and, on the other hand, to forbid French subjects to undertake individually or collectively any act of hostility against Italy (Franco-Italian convention).

It was under these clauses that the law of July 23, 1940, was enacted (modified by the laws of October 29, 1940, February 6, February 28, and March 8, 1941), by virtue of which the following persons can be deprived of French nationality:

1. Men who left or attempted to leave France or its overseas possessions between May 10 and June 30, 1940, without a regular service warrant, issued by the competent authority, or without a legitimate reason, who are deemed to have "intended to evade the duties and responsibilities incumbent upon members of the national community."

2. Frenchmen who, outside the metropolitan country, engage by their acts, or speeches, or writings, public or private, in propaganda opposed to the work of national recovery.

3. Frenchmen proceeding to a 'disaffected' zone subsequent to December 1, 1940.

Forfeiture of nationality is pronounced by a decree upon the report of a special Commission (Decree of September 10, 1940, modified by a decree of March 3, 1941), which is equally empowered to examine proposals to rescind such forfeiture. It can be extended to the family and the children of the individual concerned.

Forfeiture entails the sequestration of property, followed by liquidation after six months for the benefit of the National Relief Fund (the *Secours National*). Nevertheless there is exception in favour of descendants in view of their military services.

The publication and placarding of decrees withdrawing nationality are regulated by a law of November 13, 1940 (which strangely enough was only published on April 5, 1941).

It should be noted that this is independent of the proceedings that can be instituted against the followers of General de Gaulle, either before the military tribunals for desertion or enlistment in a foreign army, or before the Court Martial of Gannat.

Furthermore, severe police measures are taken to prevent men under forty years of age from leaving French soil.

It is not without interest to observe, in comparison with these measures against the "de Gaullist dissentients," the benevolence the Vichy Government has on the contrary displayed with regard to the volunteers for the war against the Soviet Republic. A communiqué from the office of the Vice-President of the Council stated that no clause of international law opposed their enlistment, which could not injure the unity of France. The Government therefore decided to make no objection.

Deloncle's anti-communist legion has nevertheless had only a very diluted success. The number of its members at the beginning of 1942 does not exceed a few thousands.

Chapter III

THE FAMILY

THE necessity of restoring the rôle of the family in order to ensure the moral recovery of the country has often been stressed by the leaders and the Press of Vichy. In this regard, however, they have merely continued a policy which France had resolutely pursued for a number of years.

The most effective measures in this respect are obviously those relating to the return to the land, which will be examined in another place, and which are at some time in the future to be supplemented by rural social legislation based upon the family. But we must not have any great illusions as to the real bearing of these measures.

Until November 1940, except for the creation of a Secretariate of State for the Family, practically nothing had been done, and *Le Temps* itself was obliged to acknowledge as much (November 14, 1940). Nevertheless it covered up the lack of reality in the measures adopted by the following argument:

Above everything, and this the Government has thoroughly grasped, the problem of the family demands a moral revival. The steps taken to solve it may seem insignificant. But we can feel in all the new laws, even when they are only remotely related to the family, a kind of permeation of the idea. . . . The effectiveness of this method is not to be doubted. But it will only be revealed after a long lapse of time, and in particular at the moment when, with the return of peace, severed families will at last be able to unite again. For it is self-evident that the maintaining of the two zones, the captivity of nearly two million men, the economic position, all are tremendous obstacles to the restoration of French homes.

Since that date two important measures in favour of the family have been adopted: the alteration in divorce legislation, and an extension of the system of legitimization by adoption. Two others of some significance have also been effected: the reform in death duties and the reform in family allowances, but these are intended to encourage the birth rate rather than the family in the proper sense of the word.

We shall analyse these various reforms after briefly indicating the other minor measures dealing with details. (Note the creation,

by a law published June 7, 1941, of an Advisory Committee for the French Family, which takes the place of the Higher Council for the Birth Rate and the High Committee on Population.)

I. Various Measures

1. PRIORITY CARDS

By a law of August 14, 1940, a 'priority card' was instituted for mothers of large families and pregnant women. The system was profoundly altered by a law published on July 2, 1941.

The card is given to foreigners only if all their children are of French nationality. It is granted in principle to mothers of four children under sixteen, or three under fourteen, or two under four, as well as to women of four months' pregnancy, nursing mothers, and mothers who hold the 'French Family Medal.'

The card may be used by the actual holder or one of the members of her family. It gives a right to priority in public offices, at booking offices of public conveyances, and in shops. In particular shopkeepers are bound to supply the quantity of goods corresponding to the number of persons shown on the cards presented.

Mothers of large families remaining at home have a right to extra rations of bread (Radio-Paris, May 24, 1941).

Rates of reduction in railway fares have also been revised (Decree of December 24, 1940).

2. RESERVED SITUATIONS

A law published on November 11, 1940, provides that all private establishments of a certain importance must employ a minimum percentage of fathers of large families and widows. The percentage is fixed by a prefect's order. Fathers of three children and widows with two dependent children are entitled to the benefit of this law.

The law of October 11, 1940, again, exempted from the exclusion of married women from government employment those who are mothers of three children.

3. LANDLORD AND TENANT

By virtue of the law of February 5, 1941, any landlord convicted of refusing to rent a vacant lodging to a possible tenant because of the number of the tenant's dependent children is liable to a fine up to 1000 francs, and if the offence is repeated, up to 2000 francs.

II. Divorce Reform

A reform in the law of divorce and separation was brought in by a law of April 2, 1941, which alters Articles 229 and following of the Civil Code. The essential clauses may be thus summarized:

1. Divorce for physical or moral cruelty, as provided by the old Article 231, can no longer, by virtue of Article 232, be pronounced unless this constitutes a serious or repeated violation of the duties and obligations of marriage, and renders the continuance of conjugal life unendurable.
2. No petition for divorce can be presented until after three years of marriage.
3. The judge, before granting the petitioner a summons, may impose a postponement of not more than a year; this may be renewed, but not for a period exceeding two years altogether (Article 238). Except in cases where the petition is on grounds of the condemnation of the defendant to a penalty of death, or penal servitude, or loss of civil rights, or banishment (*peine afflictive ou infamante*), the judge, even when the application has been successful, may refrain from pronouncing the divorce immediately, but may maintain or prescribe separation for two years (Article 246).
4. After three years a judicial separation is no longer converted automatically into a divorce unless at the application of the party in whose favour it was pronounced; the other party may apply for such conversion, but the grant is at the discretion of the judge.
5. The judgment in cases of divorce as well as separation is given in public audience, but the case is in future to be heard in chambers (Articles 239 and 248).

This reform has been hotly criticized in Paris. It is not, they say, by forcing couples who are at variance to live together that the number of births will be increased; quite the contrary. Young people will not be encouraged to establish a home by the banning of divorce, but by the general improvement of living conditions (Radio-Paris, May 2, 1941).

III. Legitimization by Adoption

According to an announcement by Radio-Paris on August 13, 1941, the system of legitimization by adoption, which gives children benefiting by it the same rights as legitimate children, is to be made more elastic.

All orphans can henceforth benefit.

It will be sufficient if one of the adoptive parents is thirty-five years old and upwards.

The number of adopted children is not limited.

Legitimization may be effected even if there are legitimate children, if the latter are of full age and give their consent.

IV. Policy of the Birth Rate

I. THE SYSTEM OF FAMILY ALLOWANCES

The system of family allowances, as it resulted from the law of July 29, 1939, has been radically revised. Independently of the raising of the rate of family allowances proper, an allowance known as the 'single-wage' allowance has been established. Again, a Bill now being drafted will grant a "lodging allowance" to families with at least three children living in new tenements (Radio-Paris, May 20, 1941).

(i) *Family Allowances.* A first law, of November 18, 1940, had already brought the rate of family allowances up to 10 per cent. of the average wages for the *département* current in the commune in which the family resides for two children, 30 per cent. for three and 50 per cent. for four children, the allowance for the "Mother-at-home" remaining fixed at 10 per cent.

A law of February 15, 1941, published on April 9, revised and increased the rates.

The bounty for the first-born dependent child is continued. The period of two years laid down by the decree of July 29, 1939, for parents married between July 31, 1937, and July 30, 1939, was extended by the period of mobilization (Decree published June 4, 1941).

10 per cent. for the second child.

20 per cent. for the third child (total 30 per cent.).

30 per cent. for the fourth child (total 60 per cent.).

30 per cent. for each succeeding child.

Dependent children are those not more than one year above school age, apprentices up to seventeen, and students up to twenty years of age.

Two average wage rates have been worked out for the *département*: one calculated on the wages of adults in trade and industry, and applicable in centres with more than 2000 inhabitants; the other calculated on farming wages, applicable in the other communes.

In the mercantile marine, family allowances are augmented by a 'family embarkation bounty' equal to 50 per cent. of their amount (Circular issued by the Secretary of State for the Navy on February 26, 1941).

(ii) *Single-wage Allowance.* The so-called 'single-wage' allowance, created by a law of March 29, 1941, is granted to families of wage-earners, no matter who the employer may be, whether the State or a private person, under the twofold condition that they only benefit by one wage (earned by father or mother or a grandparent) and that the children are of French nationality.

The allowance is calculated upon the same average wage as the family allowance. It is fixed at:

- 10 per cent. for an only child of more than five years of age.
- 20 per cent. for an only child of less than five years of age.
- 25 per cent. for two children.
- 30 per cent. for three children or more.

This allowance can in no circumstances be additional to the allowance for the Mother-at-home.

It is paid either by the Equalization Fund or by the State, by public bodies, or by companies holding State or municipal concessions.

The combined total of the family allowance and the single-wage allowance finally represents:

- For an only child of more than five years of age, 10 per cent.
- For an only child of less than five years of age, 20 per cent.
- For two children, 35 per cent.
- For three children, 60 per cent.
- For four children, 90 per cent.
- For each additional child, 30 per cent. in addition.

2. DEATH DUTIES

A law published on December 10, 1940, appreciably lowered the death duties with a view to encouraging large families.

In the first place, the system of *abatement* on the total estate has been altered. Instead of being a percentage, the abatement is fixed at a definite amount:

- 500,000 francs if the deceased leaves three children.
- 100,000 francs for each additional child.

The maximum abatement is raised from 90,000 to 700,000 francs.

In the second place, the reductions in the duties, which are no longer calculated on the family of the deceased, but on that of the beneficiary, are raised:

- From 25 per cent. to 75 per cent. for three children.
- From 50 per cent. to 100 per cent. for four children.
- From 75 per cent. to 100 per cent. for five children.

The maximum reduction is raised from 5000 francs for each child to 50,000 francs.

If the *rate* of the death duties has, on the other hand, been increased by an average 10 per cent. under the same law, again a favoured position has been given to large families with regard to the maximum percentage of duties applicable.

Chapter IV

YOUTH

MUCH attention is paid to youth in the programme of the Vichy Government. It is youth that by its planned and logical effort must build the country.

The principal measures adopted are concerned with:

- I. Education.
- II. Physical education and sport.
- III. Youth groups.

I. Education

The main idea that presided over the reorganization of the former Ministry of National Education was to confer upon the Minister powers going far beyond the sphere of education properly so called. The Secretary of State for "National Education and Youth" has control of almost all matters relating to the young.

A law published on June 17, 1941, was obliged to apply certain structural reforms to this ministerial department, to enable it to deal with the complicated task it has to-day undertaken.

A post of Inspector-General of Agricultural Education (detached from the Secretariate for Agriculture) was created, while one of the Inspectors-General of Public Instruction becomes Inspector-General of the Economic and Administrative Departments; this official is attached to the Board of General Administration under the direct orders of the Secretary of State.

The board of 'the work of the young' and 'technical instruction' under the Secretary-General for Public Instruction deals with technical instruction and with all occupational activities (choice of occupation, apprenticeship, placing the young).

The board of 'youth training' is charged, under the authority of the Secretary of State for Youth, with the training of leaders, the supervision of the groups of young people, and the co-ordination of inspections and regional delegations concerned with youth.

By the terms of a decree of April 24, 1941, the Inspectors-General of Public Instruction are selected so as to have nine representatives for literary studies and six for scientific studies.

The dominating fact with regard to education is the brutal

purge applied to the body of teachers. It affected all grades of education, including technical and higher education, and made it possible to eliminate teachers or professors not sufficiently pliable or sufficiently appreciative of the beauties of the new régime.

Two laws and a number of decrees, published on September 2, 1941, a law and several decrees or *arrêtés* published on the following day, profoundly changed the organization of public education. The general scheme is as follows.

It is compulsory for all children to go through the primary elementary schools, leading at eleven years of age to a diploma and at fourteen to a certificate.

Holders of the diploma can choose between the classical education, including Latin, given in the *lycées*, and the modern education without Latin given in the *collèges*; these courses are in preparation for the first part of the *baccalauréat*. At this point those who have passed go on to the philosophy class or the mathematics class, which again are in preparation for the second part of the *baccalauréat*.

Those who have successfully taken the *baccalauréat* (the *bacheliers*) and are to proceed to higher studies can then enter one of the three classes that prepare for higher education (of University standard).

The first and second classes, philosophy, mathematics, and the classes preparing for higher education are no longer free. But, on the other hand, scholarships are granted more liberally.

Technical education is open to holders of the diploma who have subsequently continued their elementary studies for three years, either classical or modern, and to holders of the certificate. Technical education continues for three years and is a preparation for technical examinations.

We shall proceed to examine the reforms relating to:

- (1) Religious education.
- (2) Primary elementary education.
- (3) Classical and modern education.
- (4) Higher education.
- (5) Physical education in the schools.

I. RELIGIOUS EDUCATION

As far as principles are concerned the most important text in this matter is the law of September 3, 1940, which abrogated the law of July 7, 1904, prohibiting congregant education.

However, it merely legalizes a position as it existed in fact (see Section I).

A law of January 6, 1941, had furthermore made religious

instruction compulsory in public elementary schools. This measure, due to Chevalier, the then Secretary of State for Public Instruction, was rescinded by his successor Carcopino, who by a law of March 10, 1941, decreed that religious instruction must be given outside the schools, and that it should only be optional. *La Croix* vehemently attacked this retrograde step which, according to that paper, placed religious instruction completely at the Minister's discretion.

The *arrêté* of November 23, 1940, regulating the programmes in moral science for the upper standards of elementary schools and the higher elementary schools, introduced similar modifications. On the one hand, "our chief duty to our neighbour and to God" is replaced by "our chief duties to our neighbours (respect for the home, our native land, the opinions of others, and *religious beliefs*)"; on the other hand, "the idea of good; happiness; moral sanctions; the moral ideal, the appeal of the hero and the saint; God"; have been replaced by "the moral ideal, the appeal of the hero and the saint; spiritual values: our native land, *Christian civilization*."

We shall treat the question of congregationalist or religious education along with the measures adopted in favour of the private elementary and secondary schools (see the succeeding paragraphs).

2. PRIMARY ELEMENTARY EDUCATION

It was a decree of August 23, 1940, to-day rescinded, that began the struggle for the modification of the spirit of elementary education by instituting an annual revision of school books. It was replaced by a decree of December 13, 1940, by virtue of which the use of certain school books may be prohibited in public elementary schools, the supplementary classes, and the higher elementary schools, by a ministerial order on the advice of a central committee. The same system was extended by a decree of April 22, 1941, to technical education.

A list of books prohibited in elementary education was published on February 21, 1941, which included principally works issued by the publisher Sudel and Romain Rolland's *Jean Christophe*. The ban on the latter work was rescinded by an order published on June 12, 1941.

A very important law published on October 6, 1940, suppressed the training colleges for teachers. The recruiting of male and female teachers is henceforth to be carried out from the pupils of the *lycées*, after the first part of the *baccaulaureat*; the pupil teachers then for a year attend training courses in pedagogy. Before this law was promulgated, Daniel Halévy had violently criticized the system it establishes in the *Journal des Débats*, September 1, 1940.

The professional training of pupil teachers includes four stages, by virtue of a decree and a number of *arrêtés* published on September 3, 1941:

- (1) Three months in a Training Institute.
- (2) Three months in a public elementary school.
- (3) Three months in an agricultural training college or a technical school for men, or in a school of housekeeping for women.
- (4) One month in a regional institution of general education or physical culture.

The regulations for selecting inspectors-general of elementary education and primary school inspectors were in turn greatly altered by the decrees published on November 12, 1940.

Then the composition of the *Conseils Départementaux* was changed by a law published on December 27, 1940. The representatives of the General Councils—which were themselves suspended *sine die* by other texts—are suppressed. The elected representatives of the teachers are replaced by male and female teachers appointed by the Secretary of State for National Education. A law of December 13, 1940, abolished the cantonal delegates.

A law of December 21, 1940, increased the disciplinary penalties applicable to the elementary teaching staffs, while providing that the *Conseil Départemental* should advise in cases involving the heaviest penalties, but an order of December 22 suspended this advisory function until July 12, 1941.

By virtue of a law of October 15, 1940, all social work connected with the schools or with after-care of the school-children must join up with the "Fédération Nationale des Œuvres de l'Enseignement Public."

The school funds, contrary to the previous legal position, can henceforth make the same grants to 'religious' schools as to public schools (Statement by the Secretary of State for National Education, March 16, 1941). The communes can furthermore share in the costs of lighting, heating, furnishing, and meals for all private institutions whose object is to take in, supervise, or educate children under fourteen years of age, provided that the resources of these institutions, having regard to the number of children concerned, are less than those available to the corresponding official organization (Law of January 6, 1941).

Finally we shall point out the introduction into the elementary school programmes, by an order of September 14, 1940, of agriculture, horticulture, and local history. Furthermore, a circular directed the attention of the teachers to the study of local dialects (*Le Temps*, October 15, 1940).

By virtue of two laws published on September 2, 1941, public primary elementary education comprises two successive cycles,

one of which leads to the *diplôme d'études primaire préparatoire*, the other to the *certificat d'études primaires*.

Education in the first cycle is given, on the one hand, in the primary schools (communal schools), and, on the other hand, in the elementary primary classes in the *lycées* for boys and girls respectively. The examinations for the diploma are open to children aged eleven on December 31 of the examination year; a dispensation of six months may be granted. The diploma is necessary for entrance into the lowest classes of classical, modern, agricultural, or technical education, and into the supplementary classes of general education; only children who have passed the first part of the scholarship examination are exempt from this rule.

In the second cycle education is given exclusively in the primary schools. The examinations for the certificate are open to children aged fourteen on December 31 of the examination year. The certificate is not required from children who continue their studies.

3. CLASSICAL AND MODERN EDUCATION

An *arrêté* of March 10, 1941, threw open for the future the Concours Général to pupils of private secondary schools. The Concours was reorganized on this basis by a decree published on May 16, 1941. A decree of March 13, 1941, set up a revising committee for school books.

Again, by virtue of a decree of January 17, 1941, scholarships for secondary and higher education are open to private and public institutions alike. Furthermore, the law and two decrees published on September 3, 1941, profoundly changed the system of awarding scholarships. They are no longer granted on the results of a competition, but after an examination to which children are admitted after an inquiry by a committee as to the resources of their family. Every candidate who obtains 12 marks out of 20 is awarded an all-in or part scholarship as *externe*, *demi-pensionnaire*, or *interne* at the public or private school of his choice for classical, modern, technical, or agricultural education. Exceptional allowances may also be granted to parents if they are invalids and the prolongation of their children's schooling deprives them of family resources.

But the great reform in the old public secondary education, foreshadowed by a decree of September 21, 1940, was brought into being by a law published on September 2, 1941. No longer is there a secondary education properly so called, but a 'classical education' and a 'modern education,' both of them leading to the *baccalauréat*.

The classical education, open to holders of the *diplôme d'études*

primaires préparatoires, is given only in *lycées* for boys or girls. It includes six forms (from the sixth, or lowest, to the first form). Latin and one living language are compulsory.

The 'modern education,' open like the preceding only to holders of the diploma, is exclusively given in the *collèges*. It includes six forms likewise. Two living languages are compulsory, one for six years' study, the other for four.

The first part of both the classical and the modern *baccalauréat* includes in particular a test in physical culture and an optional examination in music. It opens the door to the classes of Philosophy and Mathematics, between which those who have passed the first part of the *baccalauréat* may choose freely.

The second part of the *baccalauréat* opens the door to the classes preparing for higher education.

By virtue of a law published on September 3, 1941, free tuition for the second and first classes, the classes of Philosophy and Mathematics, and those preparing for higher education, has been abolished.

4. HIGHER EDUCATION

By virtue of a law published on July 17, 1941, lecturers in the various faculties are appointed by the Secretary of State from a list of persons with suitable qualifications drawn up by a commission.

Full professors in the faculties are appointed by the Secretary of State from candidates appearing for each vacant chair in one of the two lists, each containing two names, drawn up one by the council of the faculty concerned, the other by the full professors of the same subject in the other faculties.

The *concours général* of the law schools has been declared open to the free schools (*arrêté* published on July 26, 1941), and the association of 'Founders and Protectors of the Catholic Institute of Paris' has been given official recognition.

Furthermore, we should bear in mind that by virtue of the law published on September 2, 1941, young men and women who wish to proceed to more advanced studies must go through one of the preparatory classes known as 'higher humanities,' 'higher mathematics,' and 'higher science.'

5. PHYSICAL CULTURE AND SPORT

Since the reopening of the schools in October 1940 the programmes of all public educational establishments have been recast so as to give a large place to physical culture and games. This reform concerns all grades of education: elementary, higher elementary, technical, secondary, and higher.

A decree of March 26, 1941, even established an optional test in physical education at the *baccalauréat* (running, jumping, throwing, weight-lifting, climbing, swimming).

An Office of School and University Sport was created, and the members of its provisional Board were appointed by *arrêtés* published on July 4, 1941.

II. Physical Education and Sports

Physical education and sports are under the authority of a Commissary-General for General Education and Sports: the former tennis champion and member of the Croix de Feu, Jean Borotra. He is assisted by an inspector of skiing, Émile Allais.

A law of December 20, 1940 (published on April 8, 1941), reserves the organizing of games and physical culture to athletic associations, themselves grouped into federations. It is all placed under the supervision of a National Sports Committee. A temporary directing committee was instituted by an order of April 10, 1941.

The sports organization comprises a national centre and fifteen regional centres. The national centre itself contains a national institute of general education and sports, a national school of physical education and sports (for training instructors in physical education), and the national college of monitors and athletes (Law of March 21, 1941).

Competitive examinations are held for recruiting professors and monitors of physical education and sport (*Arrêté* published May 9, 1941).

We have already indicated the efforts made to develop physical culture and games in the schools. A similar effort is being made by the Secretary of State for National Defence who, "determined to make the army of the armistice a living example for the nation," has taken important decisions with regard to physical education and sports "which will henceforth be regarded as an essential branch of military instruction." No doubt this explains the fact that at the École Polytechnique, which has been demilitarized, but whose pupils still wear uniform, military instruction has been replaced by physical culture.

The national college of monitors at Antibes has nearly 350 boarders.

The principal task to which the Commissary for Physical Education seems to have devoted himself is the suppression of professionalism in sport. The steps taken are nevertheless still very timid ones, since professionalism remains authorized for three years in football, boxing, cycling, and the Basque game of pelota.

Furthermore, a communiqué of November 28, 1940, announced in the manner of the totalitarian countries, "mass demonstrations," some intended for the school public alone, others "of a more especially spectacular nature" for the public at large. June 29, 1941, saw the first great demonstration at Paris, in the presence "of M. Borotra and His Excellency M. de Brinon, the Ambassador"; in the best and purest Fascist tradition the stadium was dominated by a gigantic portrait of the Chief of the State (Radio-Paris, June 29, 1941).

It should be noted that a law published on June 14, 1941, allows all sports grounds, swimming pools, and baths to be requisitioned, and either expropriated or compulsorily handed over (against a payment of rent) for the use of school-children and youth groups.

III. Youth Groups

Three central organizations placed under the authority of the Secretary-General for Youth co-ordinate the various youth movements:

- (1) Regional deputies of the Secretary-General.
- (2) The sixteen *écoles de cadre*, of which only one is in occupied France, intended to train leaders.
- (3) The *Maisons de la Jeunesse*, the Youth Houses, which it is sought to open in every village (*Garonne*, December 29, 1940).

In spite of this attempt at co-ordination a great deal of confusion reigns in the organization of youth groups, no doubt due to the fact that the Vichy policy in the matter is still highly uncertain. The youth groups nevertheless seem to be called on to play a great rôle in the present organization of France.

We must be careful to distinguish between the *Chantiers de la Jeunesse*, the Youth Camps, where young men serve compulsorily, and all the other organizations, membership of which is purely optional.

I. COMPULSORY SERVICE IN THE YOUTH CAMPS

The Youth Camps were originated by a law of July 30, 1940, which while demobilizing young men called up, or due to be called up on June 8 and 9, obliged them to serve for six months in youth groups placed under the authority of the Secretary of State for the Family.

What seemed to be merely a temporary measure has become to-day a permanent institution. A 'course' in the Youth Camps has taken the place of obligatory military service.

The law of January 18, 1941, which is not applicable in the occupied zone, enacted that "every male French citizen must during his twentieth year serve a term in a Youth Camp." The term is for eight months; the calling-up is arranged in series, three times a year, in such a way that two contingents are always in the camps at the same time.

Extensions of time are provided for students of the *grandes écoles* (the *École Normale Supérieure*, the *École Polytechnique*, etc.), but not for other students. On the other hand, an order of January 18, 1941, equally provided extensions in favour of young agriculturists and authorized "anticipatory calling-up" from the age of eighteen.

Young men whose physique is recognized as inadequate are exempted from the course. The others are distributed among the various groups according to their physical capabilities and "may also, for reasons of a moral nature," be grouped in reformatory camps, on a ruling from the Commissary-General for the Camps. For those enrolled for naval service there are Naval Youth Camps (Order published May 25, 1941), especially at Narbonne-Plage and Banyuls-sur-Mer.

Legislation with regard to industrial accidents and social insurance applies to the young men in these camps. The system of military allowances provided for necessitous families operates for their families (Decree published May 18, 1941).

Evasion or attempted evasion of the obligation to serve this term is punished by imprisonment of from two months to five years, and a fine of 50 to 1000 francs.

The position of young men abroad was regulated by an order of April 15, 1941. They are not obliged to put in this compulsory service unless they come back to settle in France before they have completed their twenty-third year.

From information supplied by newspapers of the unoccupied zone there would seem to be at the moment forty-one groups in metropolitan France and five in Northern Africa (*Garonne*, March 13, 1941). Each group appears to include 2400 young men distributed in twelve camps of 200 (*Le Figaro*, September 3, 1940).

The group is the basic unit for administrative and accounting purposes; the heads of the group receive allowances of stores calculated on the numbers present and intended to provide for their food and upkeep; the accounts are State-audited (Decree of March 15, 1941).

The Commissary-General of the Chantiers de la Jeunesse is General de la Porte du Theil.

2. OTHER ORGANIZATIONS

(i) *The Scout Movement.* The *Scouts de France*, the *Guides de France*, the *Eclaireurs de France*, the *Eclaireuses de France*, the *Eclaireurs Unionistes Français*, have all been grouped together (in October 1940) into a single federation under the title *le Scoutisme Français*.

This federation is presided over by General Lafont.

(ii) *Compagnons de France.* The whole of the Scout groups, the J.O.C., guilds, and other similar institutions barely take in one-seventh of all the children in France. This is what led the Government to encourage the creation of the group known as the *Compagnons de France*—the “Companions of France.”

But this remains an unofficial organization, and membership is optional.

The ‘Companions’ propose to bring together, apart from any political or religious activity, all children and adolescent young people (from fifteen to twenty-five) so as to complete their physical and moral education outside the schools. Their essential object is “to teach the adolescent youth of France to live with discipline so as to assist by their work the recovery of the country. . . . Wherever there is building to be done, reconstruction, harvesting, reaping, in a word any useful work, an appeal can be made for the disinterested help of the Companions of France. In return for their labour they will ask for nothing personally but their keep” (*Journal des Débats*, August 15, 1940). Materially they do work similar to that of the young people of the *Chantiers de la Jeunesse*, but they are more mobile.

We are assured that the Companions have nothing in common with the Hitler and Falangist and Fascist youth movements. Nevertheless it is somewhat disturbing to find that the Companions are grouped in ‘squads’ (*équipes*) of ten—five ‘squads’ make a company—and that they are subject to strict discipline and wear a (blue) uniform.

Numbers of the leaders are young demobilized officers. And we read in a paper completely devoted to Vichy that the Companions must succeed, “by dint of ardour and perseverance, in mastering the apathy displayed by the civil servants, who are the heirs of the defunct régime, towards the work of Marshal Pétain” (*Action Française*, January 14, 1941).

They do their service in camps, the best known of which is that of Randan, near Vichy.

A troupe of strolling players, *L'ILLUSTRE Théâtre*, is attached to the Companions.

(iii) *Various Groups.* Besides these two main groups there are

many others, a list of which we shall borrow from the *Jour-Echo de Paris* (January 16, 1941).

Certain groups have a religious basis. This is the case with the *Association Catholique de la Jeunesse Française*, "which groups together the J.A.C. (*Jeunesse Agricole Chrétienne*), the J.O.C. (*Ouvrière*), J.E.C. (*Étudiante*), J.M.C. (*Maritime*), and J.I.C. (*Indépendante*)."¹ The same is true of the *Union Chrétienne de Jeune Gens et de Jeune Filles* (combined Protestant Churches), the *Comité Protestant de la Jeunesse*, and the *Jeunesse de l'Armée de Salut*.

We should note that the J.O.C. is said to have 140,000 members already (*Le Journal*, March 28, 1941).

The corporative groups of students comprise the *Union Nationale des Étudiants de France*, the *Fédération Nationale des Étudiants Catholiques*, and the *Fédération Française des Associations Chrétiennes d'Étudiants* (Protestant).

Tendentious movements include the *Jeunes D.R.A.C.* (Ligue des Droits des Religieux Anciens Combattants), the *Jeunesse Syndicalistes de France* (non-Marxist militants), the *Jeunesses Paysannes*, and the *Jeunesses de France*, which bring together in the occupied zone the *Jeunes de l'U.N.C.* (l'Union Nationale des Combattants), the *Union Populaire de la Jeunesse*, the *Jeunesses Nationales*, the *Fils des Tués*, and the *Jeunes de la Fédération Républicaine*.

Lastly, it should be pointed out that the P.S.F. (*Parti Social Français*) and the *Action Française* continue a most active propaganda among the young.

SECTION III

WORK AND UNEMPLOYMENT

GENERAL OBSERVATIONS

EXCEPT for the fight against unemployment, the policy of the Vichy Government in respect of social legislation has been purely negative.

(1) It has restricted the part played by workers' unions and has put them under the tutelage of the employers' organizations (see Section I).

(2) It has maintained the various principles laid down by the laws of 1936 and later laws, in particular two with regard to hours of work, holidays with pay, and collective agreements.

(3) It has restricted women's work.

(4) It has instituted old-age pensions—*i.e.* enabled wage-earners above a certain age to cease to work.

This complete absence of positive results is astounding to anyone who has followed the declarations and promises of the Vichy Government on the right to work and the obligation to work. Where is the realization of that idea so often repeated that only work and talent will find a place in the social hierarchy, and be the foundation of the new order? What are the measures that establish the restoration of individual worth?

The brain reels to look down into that empty gulf.

I. The Problem of Unemployment

The problem of unemployment, which is not an organic problem, which is merely the result of a momentary phase of the labour market, ought not to occupy our attention for long. We ought not to be obliged to attach more importance to it than, for example, to the problem of allowances for refugees or the claim of prisoners' wives to grants from State insurance.

Furthermore, in so far as the Vichy Government has confined itself to increasing the rates of unemployment pay, to organizing public works or encouraging private works, its action does not arouse any serious debate as to principle. We may reproach it for entering upon expenditure hardly in keeping with the embarrassed state of the public finances. It can easily reply, on the

one hand, that no Government has a right to let the unemployed starve, and that unemployment allowances are therefore completely justifiable; on the other hand, that the moment expenditure is embarked upon it is better that it should serve some useful purpose, and that it is therefore better to find work for the unemployed than to pay them for doing nothing.

But where the solutions applied to the problem of unemployment go definitely outside the bounds of measures framed to meet a special case, is when they either strike at certain principles or mortgage the nation's future. Now this is the case from three points of view with the measures adopted by the Vichy Government to absorb unemployment.

With this object it has in fact:

- (1) Looked for the basis of industrial recovery, and the consequent reabsorption of the bulk of the unemployed, in a policy of collaboration with Germany.
- (2) Looked for an outlet for surplus industrial labour in the policy of a return to the land.
- (3) Created fictitious jobs for new workers by depriving other workers of their livelihood.

From these three points of view the legislation of Vichy calls for severe reprehension.

I. INDUSTRIAL COLLABORATION

The Vichy Government entered upon the path of industrial collaboration with the Reich in two different ways: (*a*) by lending itself to the transfer of workers to Germany; (*b*) by negotiating agreements under which French industries are to receive raw materials from Germany on condition of furnishing the finished products to the Reich.

Let us say at once—we shall give figures later—that the first of these efforts has met with little success. The second, on the other hand, appears to be attaining really positive results. Now by this policy the Vichy dictators are betraying France. We saw in our study of the problem of the blockade that even where the French industries do not directly furnish war material to the Reich, they are none the less contributing to help on its war effort.

Every time a factory reopens on the condition that it shall work for Germany, or in return for deliveries in kind to Germany, France is contributing to strengthen the action of her enemies of yesterday against her allies of yesterday. The smallest modicum of dignity or respect for her honour ought to make her prefer a prolongation of her sufferings to this shabby behaviour.

The men of Vichy, who pretend to have an ideal, do their utmost to prove to us that their ideal comes down to a question of food. We refer the reader on this point to the data given in the first part of this work.

2. THE RETURN TO THE LAND

The turning of industrial unemployed to agriculture is another not less serious betrayal. If its immediate effects are possibly less, its future consequences are in all probability more ominous.

The policy of a return to the land is desired by Germany as the most certain method for removing France from the list of great industrial Powers, that is to say, simply, of Great Powers. An essentially agricultural France in a Europe in which the Reich engrossed all industry could never play any part but that of an economic vassal to the Reich.

We shall return at more length to this point in the section dealing with the return to the land.

3. THE ELIMINATION OF CERTAIN WORKERS

The creation of jobs for the unemployed by depriving other wage-earners of the right to work arouses equally serious criticism.

To tell the truth, the Vichy Government did not present the problem in these terms, for, as in everything, its hypocrisy or its cunning have allowed it to cover up under attractive labels realities far less honourable.

What formulas then has it found? First of all there will be the highest interests of the nation, which demand that certain jobs shall be reserved for 'real Frenchmen.' Next will come in the notion of the 'Family,' which will have it that the right to work is a family right, not an individual one. Then again we shall have the great idea of the 'physical and moral health' of the nation, which insists that women must be restored to the home, young people to open-air life, the old to rest. Behind the screen of these formulas certain individuals will be reduced to distress, or the finances of the State ruined a little further.

We have already pointed out the racial measures adopted by Vichy. We shall revert to them only to recall the fact that the policy was a pretext for driving from their employment all foreigners, Frenchmen whose father was a foreigner, Jews, and lastly all officials who did not make a display of a properly complacent admiration for the 'National Revolution.' This was essentially with the object of finding jobs for the unemployed and for those who supported the policies of the Government.

But 'real Frenchmen' will in the end be left to themselves.

The pretext of restoring family life is to make it possible to prohibit married women from working. Married women's work is represented as the cause of the disappearance of 'conjugal fidelity,' because of the promiscuity of offices and workrooms; as one of the reasons for the diminished birth rate, and the cause of the wife's coolness towards her husband, her children, and her home. What is the supplementary fictitious gain resulting from the married woman's work compared with these drawbacks? Salazar has, indeed, said that a "hard-working clever woman can produce more at home than she earns in the factory" (Charles Richet, *Revue des Deux Mondes* of October 15, 1940).

But it is the pretext of the nation's health that is chiefly appealed to.

This pretext is, in the first place, to be used as a reason for extending restrictive legislation to unmarried women. The same review article already quoted stresses at great length the theory that work is a serious danger to a woman's health. The law of October 11, 1940, enacted accordingly that for the public services ministerial orders, and for private enterprises decrees, should lay down the maximum percentage of women, whether married or not, that could be employed in the different categories of posts. It is curious to observe that these orders seem systematically to exclude women from all the higher ranks. Would it be incorrect to suppose that those who drafted the orders simply meant to avoid female competition for the best-paid posts?

The same pretext of health is the one that allowed the Vichy Government to create vacancies or to decrease unemployment by sending young men to serve compulsory terms of eight months in youth camps.

It is the same pretext, finally, that justifies the exclusion of the 'old workers' from the labour market, and that for public as well as private posts. Two laws indeed have been promulgated, of which one substantially lowered the age-limit for all civil and military officials and for magistrates; the other brought into existence the famous old-age pensions for workers.

The application of this last costly reform, which is sustained by the State insurance schemes, has only been made possible by two ingenious financial conjuring tricks. On the one hand, all workers, whatever their earnings, have been brought under the national insurance schemes, which means that those who hold important posts will henceforth pay their contributions, but as they are presumably liable to the *impôt général* (the general income tax) they will never have a right to the pension. On the other hand, the system of distribution has been substituted for that of capitalization,

which in plain language means that all contributions accumulated and capitalized since the creation of the national insurance schemes for the purpose of establishing pensions have been seized and are being used immediately. But this again answers to a high-sounding formula—the suppression of property in mortmain.

II. The Restoration of Individual Worth

Work and talent alone will be the foundation of the French hierarchy. No prejudice will be allowed to work to the detriment of any Frenchman because of his social origin. . . . The new *régime* . . . will no longer rest upon the false idea of the natural equality of men, but upon the necessary idea of the equality of the opportunities given to all Frenchmen to prove their fitness for ‘service.’³

Such is the statement of principle laid down by Marshal Pétain in his message of October 11, 1940.

The practical realization of this programme supposes the union of three elements:

- (1) Equal facilities for education available for all Frenchmen whatever their position and means.
- (2) The allocation of the most important positions to those best qualified to hold them.
- (3) The fixing of remuneration in proportion to the amount and quality of the work done.

Upon none of these points has the Marshal’s Government come to any decision.

1. EQUALITY OF OPPORTUNITIES

Absolute equality of ‘opportunities’ is purely Utopian. Even supposing that all men were equally capable, it is certain that it would be those who through their social position or that of their families enjoyed the best ‘connexions’ who would obtain the most desirable posts at the outset. And there we have a fundamental fact against which it is useless to rebel, for it would be exactly the same in any non-capitalist society.

All that is humanly feasible is to give all young people of equal intelligence the possibility of obtaining equal education and equivalent technical knowledge.

Free secondary education had tended to bring this condition into being, but it was much more of an electioneering manœuvre or a piece of window-dressing than a reality. The actual fees for education are relatively small, and it is not those fees that prevent the poorer classes of the nation from allowing their children to continue their studies.

A boy who has passed the school-leaving age, fourteen, and who continues his studies, represents for his parents not merely extra expense but a loss of earning power. As a matter of fact, on the one hand his keep must be provided, and on the other hand he cannot work and be paid a wage. Boarding scholarships at the *lycées*, if we disregard the taint of charity they bring with them, can very nearly cover the extra costs; none the less they do nothing to meet the cost of clothing and the expenses of holiday periods, but above all they do not make up for the loss of earnings.

The problem must therefore be viewed much more broadly, and the system of family allowances—completely taking the place of scholarships—must make it possible to provide genuinely for all the needs of the student.

2. MANAGERIAL POSTS

The assignment of the most important positions to the best-qualified candidates could never be achieved by any legislative enactments. At the very most, a competitive examination can be prescribed for the commencement of a career, but subsequently there can be no further automatic process for discovering talent.

Indeed it would be impossible to arrive at anything of the kind without first of all completely barring promotion by seniority, in private enterprises as well as in the public services. But even promotion by selection could only be managed by an impartial superior. And the Vichy Government has proved that promotion by selection was the most arbitrary of systems.

We should remember, among other things, the enactment already mentioned which uniformly debars all women from the directing staffs of ministries.

3. REMUNERATION

After all, let us not deceive ourselves. It is certain that there will never be any change in the method of appointing to the higher posts, where the personal element has always played a part of prime importance.

But what the Vichy Government could have done, and ought to have done, was to change the method of paying the officials on the lower and middle scales.

What was socially and economically dangerous in the laws of 1936—or more precisely in the manner in which they were applied—was the standardization of rates of pay for good workmen and bad, for good and bad clerks. In this way every incentive to work disappears. We are not aware that anything whatever has been done to remedy this.

The readjustment of low rates of pay carried out by virtue of the law published June 12, 1941, must, on the contrary, make this position still worse.

Now it is obvious that any system that extols the value of work and individual effort implies the bringing into operation of a system of salaries and promotions flexible enough to ensure that the best workers shall be the highest paid. That is to say, that collective agreements or arbitrations ought not in future to fix anything definitely but the minimum essential rates of pay, the supplementary margin remaining at the free disposal of the employer, with or without supervision.

4. PRESENT-DAY OBSTACLES

But we must face the truth. Everything that Marshal Pétain might have done in the matter was in the existing conditions doomed to failure. By force of circumstances his work must needs be still-born.

The whole system rests upon the cult of individual merit, the family, and the State. Now the nation is at the moment deprived of the larger part of its active population, families are broken up, the State is stripped of all means of action.

For individual merit to take the place the Marshal assigns to it, for a reliable selection of persons to be made, it is indispensable that private enterprises, like the public services, should draw from that unlimited reserve constituted by the population of the Empire. The Vichy Government is obliged to be satisfied with what it has. It can dispose neither of the 1,300,000 prisoners who constitute the most active portion of the population, nor of the men who are within the occupied zone, or in the territories overseas now cut off from the mother-country. Thus it has at its disposal only a minority residing in the so-called 'free' zone. Hence the rigid selection which ought to be in operation will apply only to very limited numbers.

Chapter I

REGULATION OF WORK

THE regulation of work is, generally speaking, under the Secretary of State for Labour, but agricultural workers on the one hand, and seamen on the other, have been taken out of his jurisdiction (Law of April 11, 1941).

I. Hours of Work

The law of August 13, 1940, allowed prefects, by orders that may be rescinded by the Secretary of State for Industrial Production, to limit hours of work in certain stated descriptions of works or undertakings to an amount lower than that laid down by existing legislation. A new law of March 25, 1941, in the directly opposite sense enacted that a Ministerial Order could suspend the earlier regulations and extend the working period for certain branches of activity to as much as 54 hours a week, or 10 hours a day. By application of this text the weekly number of working hours was brought up to 48 for metal workers, the building trades, public works, and building materials (Orders published March 27, 1941).

The extra hours, that is to say the hours bringing the weekly total beyond 40 hours, are paid for at ordinary rates up to 48, and at a rate increased by 10 per cent. for hours from 48 up to 54 (Law of March 25, 1941).

In mines, coal mines, and quarries, the extra hours may bring the total working week up to 60 hours (Law published August 9, 1941).

Employers working their men overtime must pay a 20 per cent. increase into a special fund (*Caisse de solidarité professionnelle*) (Law of August 13, 1940).

The distribution of the weekly working period may cover a smaller number of days than six (Law published on March 30, 1941).

For the regulation of work in the Mercantile Marine see Section V.

II. Employment of Women

As early as July 7, 1940, a circular telegram had ordered prefects to ask individual commercial enterprises to dismiss women who had husbands in a position to maintain them.

A law of October 11, 1940 (supplemented and altered by a law of April 3, 1941), regulated conditions for the employment of women in public services, trade, and industry. The measures adopted are in any case merely temporary and are only inspired by the necessity of distributing the total amount of wages available among all families (Statement of the Secretary of State for Production, October 15, 1940). They are definitely different for the public services and for private undertakings.

i. PUBLIC SERVICES

In the public services (including State-aided firms and businesses under control of municipalities or *départements*) the rule is the absolute exclusion of married women. However, fairly flexible methods of application moderate the severity of this rule.

The engagement of married women is prohibited for the future. Exceptions are permitted in favour (1) of women whose husbands do not maintain the household; (2) of women who (for example teachers), having passed an examination or signed an agreement, have certain vested rights.

The Secretary of State for National Education has indicated that he had in mind certain departures from the rule in favour of married candidates for the *agrégation* or for teaching diplomas (Radio-Paris, May 24, 1941).

On the other hand, to increase the number of posts available the following measures have been adopted:

- (1) In the State services—this may be extended by decree to other employments or to *services concédés* (under concession)—every married woman is automatically retired on pension at fifty.
- (2) Every young woman who marries before the age of twenty-eight, if she resigns her post and undertakes not to work during her married life, is granted a gratuity which may be as much as 10,000 francs.
- (3) Every married woman who has less than three children and whose husband provides for the household can be sent on leave without pay. If she has paid the requisite number of annual contributions she enjoys a pension for long service, or a proportional pension. If not, she receives a gratuity amounting to one month's pay for each year of service.
- (4) Maximum percentages of women, married or otherwise, in the various services are laid down by ministerial *arrêtés*.

It should be noted that the *arrêtés* fixing the maximum percentage of women are drawn up for each grade of the staff, and provide for the complete exclusion of women from the higher

grades (see especially the order published on April 26, 1941, with regard to the Secretariate of State for Communications).

Women living in open concubinage are treated as married women.

2. PRIVATE UNDERTAKINGS

In private businesses no prohibition has been issued against engaging women. The measures adopted deal only with dismissals.

Decrees are to fix the maximum percentages of women, married or unmarried, for all occupations except agriculture. Other decrees will extend the system of gratuities to women employees of trade and industry who give up their posts when they marry.

The various clauses of the law are not applicable to women who only engage in occasional work, near their homes, while at the same time they continue to attend to their household duties.

We should recollect besides that businesses must employ a maximum percentage of fathers of large families and widows with two dependent children (Law published November 11, 1940).

III. Various Measures

A law of August 5, 1940, reduced the rate of the special wages tax from 15 per cent. to 5 per cent.

Collective agreements and awards by arbitration or by referees are still in force, but are no obstacle to the drawing up of agreements of a temporary character justified by circumstances.

The system of workers' associations has been profoundly altered (see Section I). The Labour Exchanges continue to have a legal existence (Communiqué of January 26, 1941).

Employment of foreigners and Jews, as well as young people (see Section II), has been made the object of special regulations.

Holidays with pay were continued in 1940, but with the obligation to spend them at home. Holiday tickets at reduced rates for railway travel have been suppressed (*Le Journal*, August 6, 1940). For 1941, the following enactments were made by a law of April 12, 1941. The starting-point of the period for which the right to holidays is to be reckoned is fixed as July 1, 1940; the compensation is one twenty-fourth part of the total remuneration drawn by the workman after that date. Workers who leave their employers to put in a term in a youth camp, or for any other form of national service, have a right to one day's holiday with pay for each month of work during the term in question. Finally, the Secretary of State for Labour can abolish paid holidays for certain establishments, in which case there may be a grant of an allowance by way

of compensation. For the railways, the system of paid holidays for 1941 was fixed by a decree published on April 25, 1941; its special feature is the provision for splitting up holidays of more than six days into two or three instalments.

Additional holidays of four days must be given to miners in 1941 (*Arrêtés* published on June 19 and August 18, 1941).

A law published on June 12, 1941, prescribed a readjustment of wages for all workers included in State insurance schemes, in the shape of a supplementary allowance payable by the employers. The monthly allowance varies from 86 francs (in places of less than 5000 inhabitants) to 200 francs (in the city of Paris), but must not represent an increase of more than 20 per cent. in wages. Another law published on the same day laid down similar measures for officials. An *arrêté* published on July 26, 1941, granted additional allowances to seamen.

An order published on June 26, 1941, delegated to prefects the power to increase wages that are below the normal.

The method of calculating minimum wages for home workers was fixed by a law published on August 28, 1941.

Chapter II

THE WAR ON UNEMPLOYMENT

UNEMPLOYMENT is, along with the threat of famine, the most serious evil from which France is suffering. The struggle against unemployment has had to assume many shapes.

It is directed by a Commissary assisted by a Deputy-Commissary and two small Committees of officials, one sitting in the occupied zone, the other in the unoccupied zone (Law published October 29, 1940). Another Commissary is more particularly occupied with unemployment among the young.

All the military or civilian organizations in charge of the placing of available labour are under the authority of the Commissary, who also has at his disposal credits for the payment of this labour and a right of requisition for premises necessary to provide it with quarters (Law published October 29, 1940).

We should distinguish two distinct classes of measures:

- I. Measures tending to finding work for the unemployed.
- II. Allowances for the unemployed.

I. Finding Work for the Unemployed

The measures adopted for achieving the reabsorption of the unemployed into industry are themselves manifold, but the Government's efforts remain without much effect.

A communiqué of January 11, 1941, appeals to the "creative imagination of all Frenchmen" and invites them to send to the Commissary for Unemployment "any schemes they may think of that seem capable of helping to bring the unemployed back into industry." The principal measures are obviously those which aim at encouraging the resumption of production, both agricultural (see Section IV), industrial and commercial (see Section V). All the others are inevitably more or less artificial; they have only the value attaching to improvised expedients.

Even the sending of workers to Germany has shown itself to be a failure. At the end of March 1941 almost 40,000 workers had indeed left France for the Reich, but only 15,000 were of French nationality (Radio-Paris, April 4, 1941). The proportion of Frenchmen appears to have been subsequently increased to 50 per cent. in March, 69 per cent. in April, 75 per cent. in May,

but on May 20 the total number of workers who had gone to Germany was no more than 51,000, 6000 of whom were women (Radio-Paris, June 10, 1941).

We shall examine here the enactments tending (1) to make existing jobs available for the unemployed; (2) to create new jobs for the unemployed.

We must first examine certain measures which have had the contrary effect of increasing the number of the unemployed.

1. MEASURES INCREASING UNEMPLOYMENT

Certain of the measures adopted by the Government to create vacancies for the benefit of the unemployed in posts already filled result in the creation of new unemployed. This is the case with all the enactments aimed at excluding from the public services, the liberal professions, and certain managerial posts, all Frenchmen who are not French 'by origin,' and all Jews (see Section II). All these devices mean simply in the end the substitution of one unemployed person for another.

But there is still more, and the Government was compelled itself to promote the dismissal of workers, and hence the increase of unemployment.

A law of December 27, 1940 (modified by a law of April 18, 1941), regulates the conditions in which work agreements can be rescinded, either because the post has been suppressed, or because of the decreased activity of the businesses; or where the ex-soldiers are concerned, because the employers have shown the impossibility of giving them back the jobs they had previously.

In these various schemes wage-earners have a right to the usual compensation in lieu of notice, as well as the compensation for dismissal laid down in collective agreements or by customary practice. These last, however, unless there is a judicial decision or a contractual provision to the contrary, are subjected to reduction. When the dismissals are caused by the destruction of the plant, or the loss of permission to carry on business, the State will repay the employers the amount of compensation paid out.

Wage-earners whose contracts are broken in these conditions enjoy priority of re-engagement for a period of a year if they are workmen, or two years if part of the staff.

A law of July 2, 1941, laid down special measures in favour of the staffs of manufactories of boots and clothing affected by rationing schemes. In case of partial unemployment the employee or worker has a right to an indemnity equal to one-half of the amount of wages lost. The State repays the employer the whole or part of this indemnity.

We should point out that when a business is closed under the laws relating to prices, or the control of the Press, wages continue to be paid by the employer during the time of closing (see Section VII).

2. MAKING VACANCIES

An important number of legislative enactments have had as their object, or pretext, or result, the vacating of jobs for the benefit of the unemployed.

This was the result of the measures relating to foreigners, Jews, and Frenchmen not of French origin (see Section II), and of the clauses permitting officials to be relieved of their functions.

The same is true of the measures dealing with compulsory farm service (see Section IV), the youth camps (see Section II), the exclusion of married women from the public services, trade, and industry (see above, Chapter I).

Other clauses were expressly directed towards this creation of vacancies. Among them were the following:

- (a) The tightening up of enactments relating to pluralities for officials in active service or on pension (see Section I).
- (b) The lowering of the age-limit for civilian and military officials (Law of October 30, 1940, modified by the law published on January 23, 1941), (Laws of August 13, 1940, relating to officials of the Ministry of Foreign Affairs; September 12, 1940, relating to those of the prefectoral administration; and November 26, 1940, relating to Governor-Generals, Governors, and Residents, supplemented as regards the liquidation of pensions by a law of April 3, 1941).
- (c) The reduction of the hours of work and the introduction of a system of rotation.
- (d) The possibility that ex-soldiers giving up their claim to a reserved situation should obtain an immediate payment of a gratuity (Law published on July 26, 1941).

We may also quote, as belonging to the same set of ideas, the limitation of the number of company directorships that may be held by the same person (see Section V).

But the most important measure is the creation of the scheme of pensions for old workers (see below, Chapter III).

3. CREATION OF JOBS

The Government paid especial attention to creating new jobs by a policy of great public works, the immediate undertaking of the rebuilding of houses destroyed by the war, and the extension of the system of compulsory repairs.

In these three cases again the State is directly or indirectly to cover all or part of the expenditure incurred.

(i) *Public Works.* A very wide programme of great national works has been drawn up. Its principal heads comprise:

- The repairing of the railways and the manufacture of rolling stock.
- The repairing of highways and waterways.
- The extension of the automatic telephone in the country districts.
- The rebuilding of public edifices that have been destroyed.
- Electrification.
- The construction of barrages.
- The development of the forests.

The scheme of the great works includes 14 milliards for railways, 8 milliards for roads, canals, and ports, 2 milliards for sports equipment (Law of November 20, 1940); the cost obviously to be spread over several years.

We should note among the works that most of all inflamed the Vichy imaginations the construction of the famous 'Trans-Saharan' railway from the Mediterranean to the Niger (Laws of March 22 and July 18, 1941; Decree of April 9, 1941).

A law of April 6, 1941, dealing with a plan of national equipment, the first instalment of which will be completed in ten years, was published on May 4, 1941. It entrusts to a delegate-general the task of drawing up this plan before January 1, 1942. The delegate has complete control over regional and communal development plans and presides over the "Development Committee for the Paris region" (Decree published May 28, 1941). He is assisted by a Committee of Investigation into matters relating to Housing and Building (Decree published May 29, 1941).

On all-fours with the works directly undertaken by the State, numerous facilities and substantial subsidies are granted for departmental and communal works. Thus a law published June 8, 1941, authorized the *département* of the Seine and the city of Paris to carry out 6·555 millions of works, besides 2·250 millions of works to be executed by their concessionaires.

A law of October 11, 1940, instituted a system of loans for moderate periods at reduced rates of interest (maximum 3 per cent., with sinking fund suspended for the first three years) for the benefit of organizations such as agricultural co-operative societies, port authorities, or chambers of commerce, for their work. The credit provided for is 2 milliards (the first authorized amount was 800 millions, by the law of December 28, 1940).

A simplified process of expropriation has been provided for works intended to combat unemployment (Law published October 25, 1940). Announcing this reform, the Secretary of State for

Public Works made the following comment: "In the old days we administered, now we direct" (October 12, 1940).

It is the Commissary-General for Unemployment who co-ordinates these measures as a whole.

(ii) *Repair of War Damage.* Independently of the damage to means of communication already noted in the first part of this work, the campaign of France meant 60,000 houses totally destroyed and 180,000 severely damaged (Statement by the Secretary of State for Communications, February 6, 1941). We must point out besides that many historic monuments have been destroyed, such as the cathedrals of Beauvais and Évreux, the churches of Gisors, Châteaudun, and Louviers. On the other hand, the cathedrals of Chartres and Amiens are untouched, and so too Rouen Cathedral, although the whole quarter surrounding it was utterly destroyed.

Already on August 5, 1940, a law had made provision for the most urgent needs by granting advances up to a maximum of 50,000 francs for repairing slight damage. It had at the same time placed a milliard at the disposal of the department of Ponts et Chaussées (civil engineering) for the demolition of wrecked buildings and the clearing away of debris.

But the charter of reconstruction is the law of October 11, 1940, modified by the law of February 10, 1941, the principles of which are essentially different from those of the law of 1919.

The application of the law is in the hands of the Office of the Technical Commissary for the Rebuilding of Houses, which is responsible to the Secretariate for Communications. The Commissary is assisted by a National Committee for Reconstruction, an advisory body. The financing of operations is, by virtue of a law of March 3, 1941, managed by the Crédit National.

The law applies only

- (1) To dwelling-houses and houses mainly used for residential purposes.
- (2) To buildings subsidiary to residential purposes and business.
- (3) To buildings of public bodies other than the State, except those exclusively intended for industrial or commercial use.
- (4) To buildings of private educational or charitable institutions.

State assistance is fixed at a maximum of:

- 9/10 of the normal cost of rebuilding for the portion of claims up to 100,000 francs.
- 3/4 of the normal cost of rebuilding for the portion of claims from 100,000 to 300,000 francs.
- 2/3 of the normal cost of rebuilding for the portion of claims from 300,000 to 1,000,000 francs.
- 1/2 of anything over 1,000,000.

Which means that the State grants as a maximum:

90,000 francs for			100,000 francs of work		
165,000	"	200,000	"	"	
240,000	"	300,000	"	"	
306,666	"	400,000	"	"	
373,333	"	500,000	"	"	
439,999	"	600,000	"	"	
506,666	"	700,000	"	"	
573,333	"	800,000	"	"	
639,999	"	900,000	"	"	
706,666	"	1,000,000	"	"	
956,666	"	1,500,000	"	"	etc.

Decisions upon claims are made by the local representative of the *Commissaire technique à la reconstruction immobilière*. An appeal may be made before the Committee for the *département*, and if the Committee's decision disagrees a ruling is given by a special Commissary, whose decision may in turn be contested before the Council of State.

The figures given may be reduced by a maximum of 50 per cent. on account of the age or insanitary condition of the building destroyed.

The date for starting the work is fixed by the Commissary. Delay involves a penalty of $2\frac{1}{2}$ per cent., and subsequently 5 per cent., per month, with a maximum of 50 per cent. of the total grant. But what is important to note is that reconstruction is not free. It must be carried out in conformity with town-planning schemes, and must respect certain rules and restrictions with regard to the types of buildings and the choice of materials.

Over and above the grant for rebuilding there is an allowance for furniture and fittings if they have been totally destroyed at the same time as the house. The allowance is as follows:

5000 francs for the unmarried.
15,000 " " married persons.
5000 " " each child.
2000 " " each other person living in the house.

Owners of houses who do not rebuild receive a grant of dis-possession, equal:

For the site, to its sale value on September 1, 1939, if the State exercises its right of acquisition.

For the buildings, to 30 per cent. of the grant calculated as shown above.

Owners of damaged houses are granted borrowing facilities for the difference between the total of the costs of rebuilding and the share paid by the State.

A law of February 9, 1941, which for the future takes the place of the law of August 5, 1940, laid down special measures for the speedy repair of partially damaged houses the repair of which is not provided for in any text, or falls under the law of October 11, 1940. The total amount of the grant must not exceed 50,000 francs, nor one-half the cost of the repairs.

It is further interesting to note that by virtue of the law of October 11, 1940, as well as the law of February 9, 1941, in the owner's absence all interested persons, and especially the tenants, can act as substitutes for him in drawing up the schedules of damages. They must in that case advance sums of money on the owner's account, but they can collect the rents in his stead until they are repaid, or can continue to occupy their tenements, or will have a claim against him enforceable at law.

Work of clearance and demolition in places that have suffered most heavily is at the charges of the State. The same is the case for localities called upon to draw up housing schemes under the law of March 14, 1919 (Law of August 22, 1940, and the modified law of October 11).

Substantially similar provisions were enacted by the law published May 16, 1941, for the rebuilding of houses destroyed and farms damaged by the floods of October 1940.

The decree of February 28, 1941, granted an advance of 200 millions to the Navigation Office for rebuilding boats for inland navigation.

Various laws published on August 16, 1941, made provisions for the repairing of public buildings and historic monuments.

(iii) *Ravalement*. In all towns of more than 100,000 inhabitants the external painting and repairs may be made compulsory by a prefect's order (Law published October 25, 1940). Subsidies and loans for this purpose may be granted (Law of September 12, 1940, modified by law No. 3734 of August 28, 1941).

II. Unemployment Relief

The system of allocating unemployment relief has been modified. Henceforth the Employment Exchanges under the regional Labour Office will have the task of distributing this relief.

The rates of relief have been raised, and it has been decided to continue in favour of the unemployed the family allowances and the allowance for the Mother-at-home (Decree of October 11, 1940).

Two hours' work per day may be demanded from the unemployed in receipt of relief.

Relief is withdrawn if the unemployed man refuses the work offered him.

Lastly, the sending of unemployed from one region to another is practised, especially in Paris (*Le Temps*, December 20, 1940).

The conditions for allowances granted in cases of partial unemployment were the subject of a decree of January 8, 1941.

Wives of prisoners may in certain cases draw both the military allowance and unemployment allowance (Radio-Paris, August 13, 1941).

Chapter III

STATE INSURANCE

I. Various Enactments

BESIDES temporary measures helping to meet certain material difficulties arising from existing circumstances, measures upon which it is unnecessary to dwell, the system of State assurances was profoundly altered in October 1940 with regard to two points.

On the one hand, all persons in receipt of wages or salary, of whatever amount, are compulsorily brought into the schemes. The contribution exacted, however, must never be calculated on that portion of the annual emoluments in excess of 42,000 francs.

On the other hand, all age insurance funds have given place to a single "General Pensions Fund," and the system of capitalization has been replaced by one of distribution.

II. Old Age Pensions for Workers

The changes in the system of State insurances made it possible for the law of March 14, 1941 (modified by a law published on April 30, 1941—*arrêtés d'application*, March 9, 1941), to establish the famous *retraite des vieux*. As Marshal Pétain reminded us in an address broadcast on the same day, "this reform has been awaited for years. It has been promised twenty times over; twenty times it has been postponed. I keep promises, even other people's, when those promises are founded on justice."

What the Marshal forgot to add was that the reform had been postponed twenty times for reasons connected with the budget, and that he himself could not bring it into being unless by a two-fold piece of jugglery, as we have shown above.

I. BENEFICIARIES

The benefit of the *allocations de vieillesse*—this is the official name for the workers' Old Age Pension—is in principle open to all workers of French nationality at the age of sixty-five on three conditions:

- (1) They must bind themselves not to undertake any paid work (except agricultural; order published on June 16, 1941).
- (2) Their total income, including allowances, must not exceed 9000 francs a year for bachelors, or 11,000 francs for married men.
- (3) They must prove that they have been in paid work for five years between the ages of fifty and sixty-five.

The benefit of the allowances is obtained at the age of sixty by workers recognized as unfit for paid employment. An order of April 9, 1941, laid down rules for the Regional Commissions on Unfitness for Work and the National Appeal Commission. Incapacity to keep or find paid employment is assessed with due reference to age, health, physical and mental incapacity, and vocational fitness and training.

Workers in receipt of allowances and those who have reached the age of sixty-five can no longer be registered at Labour Exchanges, and hence in practice can no longer find jobs.

The number of beneficiaries of the system has been estimated at about 1,300,000 (*Le Temps*, March 16, 1941), but on June 24, 1941, only 150,000 applications had been put forward (Radio-Paris, June 24, 1941).

2. RATE OF ALLOWANCES

The rate of the allowances was fixed at 3600 francs a year for the country as a whole and 5200 francs for the Paris region, which corresponds fairly closely to the amounts of unemployment pay in the provinces and in Paris.

For those who have nothing [commented Marshal Pétain] the modest pension will be a great relief. For those who already have some means it will be the supplement that will secure them against distress (Speech of March 14, 1941).

For households the rate of allowance is increased:

- (1) By one-half of the total if the wife is herself a wage-earner, or by 1000 francs if she is not.
- (2) By the allowance for a Mother-at-home or by the family allowance in certain cases.
- (3) By 500 francs if the wife has had five children.

For those in State insurance schemes the allowance is increased by an amount corresponding to one-tenth of the contributions paid.

It must be noted that the rate of 5200 francs is only allowed for one year if the beneficiary continues to live in Paris or the suburbs, and is then reduced to 3600 francs. If, on the contrary, the

beneficiary goes and settles in a commune of less than 2000 inhabitants the rate of 5200 francs is maintained. Furthermore, any holder of an allowance who leaves a town of more than 50,000 inhabitants to settle in a rural commune will have part of his removal expenses paid, and facilities are given him to help in acquiring a small property.

III. Allowances for Nursing Mothers

By virtue of a law published on June 5, 1941, the wives of men under insurance schemes for the future have the same grants as insured women as regards allowances for nursing mothers and vouchers for milk. Furthermore, beginning with the second child, the total of nursing allowances may be as much as 1250 francs.

IV. Maternity Welfare

Law No. 3763 of September 2, 1941, on maternity welfare, provided, in the first place, that every woman was entitled to be received in a hospital for one month before the birth of a child and for one month after, without disclosing her identity; and, in the second place, that the interruption in her work could not be a ground for breaking her contract. Infringement of these provisions entails heavy penalties of imprisonment and fines.

SECTION IV

THE RETURN TO THE LAND

GENERAL OBSERVATIONS

THE 'return to the land' is very much in fashion at Vichy, where it is the leitmotiv of all official speeches; it is the one panacea for all our troubles.

The return to the land will restore the taste for family life, improve the physical health of the nation, and be an element of social stability. It is from work on the soil that the young will once more find the true old qualities of the French race. Such are the pretexts.

The truth is that the development of agricultural production and the turning of a new body of workers towards this production are being forced on the Vichy Government by the pressure of Hitler's demands on the one hand, and on the other by famine and unemployment. Formulas that in themselves have a certain value are used to screen measures that are merely expedients. "If production is not increased rations will fall to a point injurious to the national health, and particularly to the development of the young" (Secretary of State for Agriculture, September 20, 1940).

The return to the land again comes up against serious material difficulties, and in a period when the strength of States lies in industrial power it constitutes a crime against the Nation.

I. The Ideology of the Return to the Land

The policy of the return to the land is justified, they say, in official or semi-official phraseology, by

1. The restoration of family life.
2. The interests of the nation's physical and moral health.
3. The rôle of the peasantry in the stability of the social system.

I. THE RÔLE OF THE FAMILY

There is no doubt that family life is easily more intense among peasants than among working men.

The peasant, his wife, and his children all work together, have their meals together, share in the same effort, have the same

pleasures and the same troubles. And furthermore, children are in the material sense easier to bring up in the country than in the town.

The worker, on the other hand, is often forced to live a long way from his workshop. Thus he loses valuable time in travelling, is obliged to have his midday meal in a restaurant, and only gets back for dinner when the children are already in bed. If the wife also works she cannot attend to her children's education and upbringing, and they are perforce handed over to other persons. The temptations of the city again present a serious danger to the unity of the household.

What they do not say is that statistics show that there are more workers' marriages than peasants', and that the birth rate is proportionately higher in the cities than in the country districts. The very attachment of the peasant to his land makes him hate the thought of seeing it divided at his death among too many children, or fear that if one of his children is favoured in the division he may be leaving the others in a difficult position.

So the argument is not conclusive.

2. PHYSICAL AND MORAL HEALTH

The argument as to the physical and moral health of the workers has a more solid foundation.

It is certain that the open-air life of the farmer is healthier than that of the workman shut up in a workshop. The worker's home is again often insanitary or cramped. The existence of too many easy pleasures is a temptation that some fail to resist; drink, gambling, shows sometimes edifying, sometimes not, dissipation—all may prove demoralizing to a great number of workers.

To this it may nevertheless be replied that medical care is better and more readily available in the towns than in the country, and that it is for the public powers to improve the workers' conditions of living and housing. The public-house is as much a danger in the country as in the town. As for other distractions, those who preach the return to the land are actually endeavouring to introduce them into the country. The cinema, which has played a deplorable part in the shaping of the young, is found in the country too.

So there is nothing conclusive here either.

3. SOCIAL STABILITY

The third argument is the most serious.

In so far as agriculture fails to take on a semi-industrial character, as it does in the North of France, it forms an undeniable element

of social stability. On the one hand, the agricultural landowner is greatly attached to his land and his animals; on the other hand, the hired labourer shares in the employer's life, and there are no large groups of workers to foster social unrest.

In spite of the existence of an agrarian form of communism, it is a patent fact that the French agricultural system constitutes a bulwark against a Marxist type of revolution.

And this is why in reality the idea of ensuring the predominance of the agricultural element over the industrial element is essentially political. For we must really be clear on this point. There is an *industrialized agriculture*, an agriculture making use of the machines, the methods, and the workers of industry. This agriculture is included by the masters of France in the same disapproval as industry. What they want to see in agriculture is simply and solely the small agricultural holding. Now small agricultural holdings mean little owners attached to their property with all the dourness that characterizes the French peasant; they mean therefore a first-class insurance against anything that might seek to disturb the social order, or arraign the principle of private and individual ownership.

If industry could be carried on in the same fashion it would very soon cease to be a bugbear. Two articles in the *Revue des Deux Mondes* over the names of Charles Richet and André Demaison (October 15, 1940, and January 1, 1941, respectively) are highly characteristic in this matter. According to them it would be advisable, seeing that the small craftsman cannot satisfy all requirements, to set up factories in the villages with profit-sharing for the workers. In the present condition of things this system can be nothing more than an idea.

For the moment, what exists is an agriculture of small owners, which is by nature conservative, face to face with an industry that gives birth to an organized and often restless proletariat. Thus agriculture must be given precedence in the French economic system.

II. Difficulties to be Overcome

The policy of a return to the land comes up against obstacles of which some can be removed, but others appear to be impossible to get rid of.

The exodus from the country to the towns is largely due to the fact that country life is harder and has far fewer pleasures and amenities than town life. If then we wish to bring the transplanted countryman back to his fields, or lead the townsman to the country, we must endeavour to acclimatize them by developing rural comforts. And that cannot be done in a single day.

Then again land does not begin to pay immediately. A man must invest a certain amount of capital, and be able to live until it brings in a return. Hence there is a problem of financing to be met.

But lastly and above everything there is the fact that agricultural work is a craft like any other. For townsmen to settle in the country they must find it possible to live on the products of their work. Which is tantamount to saying that the idea of growing one single crop, which would not conduce to this end, must be ruled out. And again, a long apprenticeship must be faced, at least three years. Here *Le Temps* agrees with us:

A peasant cannot be made in a moment any more than a specialized craftsman. His work is not uniform and jobs are not interchangeable. See if you can take a clerk or an official accustomed to copying out reports or keeping books by double entry and transform him into a farm worker. "Every man to his trade" is an excellent saw (Editorial of August 23, 1940).

The return to the land must accordingly be confined to those who were peasants before, and to young people who have not had time to choose their sphere of activity and who can be given the necessary training.

Everything else is purely Utopian. We must not expect a miracle from the return to the land.

III. The Danger of a Purely Agricultural Economy

I. THE NECESSITY FOR A BALANCED ECONOMY

Le Temps, which is bound to preserve a certain moderation of language, as is readily comprehensible, wrote in an editorial of August 23, 1940:

Let us not forget that our country owes its vitality and its greatness . . . to a harmonious balance of its production. France is an industrial country too. It is still a country of high intellectual culture, and the flower of our nation are not the peasants alone. The return to the land will help to restore that old balance disturbed by the attraction of the cities with their outflung tentacles, and made still more necessary to-day because first of all we must live. It is through this return to the land that France will be saved. But great wisdom and great prudence will be called for.

France can be and must be an agricultural nation; that admits of no doubt. She has one of the richest soils in the world and her peasantry has always won from it the finest crops. There could therefore be no question of neglecting such riches—riches in soil

and in men alike. But that does not mean that France ought to give up being an industrial nation.

Her underground riches are among the greatest in the world, and her schools train scientists and engineers who set her in the very foremost rank of science and technical achievement. And again, the products of her industry are the only exchange currency she has for dealings with her Empire.

In order to reduce France finally and definitely to the rank of a second-class nation Germany has three weapons: the division of the French people; the dislocation of French territory; the organization of an economic system founded on agriculture.

We have already pointed out the use made of the first two weapons. We must now call attention to the power and effectiveness of the third.

Like the restoring of the provinces, the return to the land corresponds to one of the tendencies in the minds of those who are ruling France. The enemy has therefore not had even to encourage them along this path upon which they entered of themselves.

2. THE RÔLE OF INDUSTRY

(i) *Its Rôle in Time of War.* A nation without industries cannot be a great nation.

It is also impossible for a nation to plunge into a war if it cannot feed itself and if it has no war material.

But food presents a twofold peculiarity. On the one hand, a country's consumption of food can be considerably reduced for months, or for years. On the other hand, stocks of food can readily be formed to enable a country to live for months, or even for years.

The longer a war continues, on the contrary, the more does the consumption of war material go on increasing. Now the greatest part of war material cannot be accumulated, and plant for its renewing cannot be improvised. War materials cannot be accumulated because the most effective weapon is always the one that embodies the latest technical improvements; it is not so much a question of having thousands of aeroplanes or tanks at the beginning of a war if they are of an out-of-date model, as it is of being able to build new aeroplanes or new tanks, new anti-aircraft guns or anti-tank guns, always with the latest improvements. Now if peace industries can be adapted for war manufactures, the creation of new factories and the making of new machinery where there was nothing is a matter of years.

As long as war exists a Power without industries will always be lost from the beginning. And war will always exist; it would

be useless to allow ourselves the least illusion in this matter. In 1919 we all thought this plague could be avoided for the future. But we failed to reckon with the ineradicable atavism of certain races. When we make peace once more we must always start from the fundamental idea that our strength in peace must condition our strength in war. As victors we shall always be obliged to have means of coercion available against the vanquished. Vanquished—if such a disaster could be conceived—it would be our duty to leave nothing undone to ensure our recovery.

Hence we need to have factories, which in peace-time will build touring cars or make machinery, but which in time of war will produce tanks and guns. We need factories building commercial planes, but which at a day's notice will be able to turn out bombing planes and fighter planes by mass production.

(ii) *Its Rôle in Time of Peace.* And if we were never to have war again, it is still our industry that ought to ensure our strength in time of peace. A manufactured product is automatically of more value than an unmanufactured one, for it has had added to it the cost of all the successive transformations and workmanship that have been incorporated in it at the various stages of its production. The difference between the cost price of the raw product and that of the manufactured one is distributed inside the territory in which it is worked on, and thus increases the country's wealth. Directly the finished product is exported from France it is the foreigner who must pay for this supplementary distributed wealth. If, on the contrary, it is France that buys a manufactured product from abroad, then it is she who must bear the cost of the wages of all who have co-operated in some other country to make the article.

An exclusively agricultural country that can only offer raw materials against the manufactured products it imports thus finds itself at a terrible disadvantage. It must give ten to get one.

Every country's effort, provided it has raw materials (France is the largest producer of iron) and fuel (France has coal and water-power), must therefore aim at producing the greater part of the manufactured commodities it needs, and also surplus for export.

The transformation of France into an essentially agricultural country would finally leave her at the mercy of Germany in time of war, at the mercy of all who in times of peace produce manufactured goods. And it would at the same time deprive her of all possibility of paying her colonies for such products of their soil as they may be able to supply her with.

In so far as the policy of the return to the land is not founded upon the imperative necessity for reabsorbing the unemployed and providing food for the country, it is therefore the first worst crime against the nation.

IV. Future Policy

Very great importance must therefore be assigned to industry. But this once granted it is normal and indispensable, as we have said, that France should remain an agricultural nation. If she did not herself produce the essential foodstuffs for her own consumption—wheat, beetroot, vegetable fats, wine, cattle, and poultry—she would find herself faced with excessive claims from the foreigner. Her agricultural produce must play the same part for France in the face of foreign producers as a Diesel motor plays in a factory that is trying to get power from an electricity company at the cheapest rate.

But for this it is again necessary that the cost price of national produce should not itself be excessive. If French flour or French oil costs twice as much as foreign flour or foreign oil, the French article ceases to play the part of the Diesel motor. It merely now becomes a useless extra burden. For one of two things must happen: either the entry of the foreign products must be prohibited and the consumer must pay the difference in price, or competition is allowed free play and the home producers are ruined, unless the State pays them the difference, in which case it is the taxpayer who foots the bill.

Certain crops being raised abroad by mass production, and so at reduced cost, France can only compete by three possible methods: either by herself embarking on mammoth cultivation, or by devoting herself to crops that do not admit of mass production, or by devoting herself to crops that can be grown only on French soil.

The third of these methods is the one that calls for the minimum of imagination. Unfortunately the progress of agricultural technique, the development of fertilizers, the increased rapidity of transport, and a thousand other reasons mean that the number of products in which France can keep a monopoly is continually shrinking. The vine itself, in so far as it produces wines of ordinary quality, meets with too much competition in foreign countries, and even in French possessions overseas. French fruit finds itself faced with fruit coming from the other side of the world, and cheaper.

The second method presupposes a policy of quality. It is unquestionable that French wines cannot be equalled by any fine foreign wine; but if this is so it is precisely because the vineyards capable of producing them are limited in extent. Hence it is for other products that quality must be sought after. French agriculture must be definitely turned towards market gardening, garden produce, selected vegetables, the finest breeding stocks of farm animals. Nothing has been done in this direction by the

Vichy Government, which only follows a policy of immediate results. Selectivity in agricultural production would demand a long-sustained effort supported by a revival of agricultural education.

It is with the first method, however, that we touch on the most critical and delicate point of view. There is no doubt that France could not confine herself to producing things of which she has a monopoly, or products other than those admitting of large-scale cultivation. All her land is far from lending itself to this. We must therefore take the bull by the horns and examine in what conditions the over-small holding must give place to the medium-sized holding (thirty to thirty-five hectares) and large farms. If this seems to be too difficult we must at least consider the possibilities of organizing the collective use of machines and farm equipment and increasing co-operative production. In this connexion, the only one in which we can find any constructive effort, the Vichy Government has so far taken only very timid measures.

Chapter I

THE CHARTER OF AGRICULTURE

I. General Enactments

THE departments of the Secretariate of State for Agriculture were organized by a law published on August 22, 1940; the supply departments were separated from them subsequently, and then were attached to them once again, for Vichy is not particularly consistent in its ideas.

The Departmental Chambers of Agriculture are to be replaced by Regional Chambers made up half of representatives of the *Union régionale corporative* and half of persons appointed by the Secretary of State (Law of December 2, 1940), which involves the suppression of elections (Law published March 16, 1941). The rôle of these Chambers is to bring about improvements in technical methods and methods of production. The Assembly of Presidents of Chambers of Agriculture was dissolved (Law of December 2, 1940) and replaced by a Provisional Liquidating Committee (Order of March 22, 1941).

The whole of the vocational agricultural organization has been reconstructed on a pretended corporative model (see Section I). All agricultural friendly societies have been grouped together into a *Fédération corporative de la mutualité agricole* (Order published on June 20, 1941).

A law of April 5, 1941, transferred the whole social legislation for agriculture to the Secretary of State for Agriculture. This measure should allow the condition of the agricultural worker to be dissociated from that of the town worker. The new agricultural social legislation will be essentially on the basis of the family; the number of paid workers, already low, will be still further reduced; small farmers must no longer be worse off than paid farm workers (Statement of the Secretary of State for Agriculture on April 23, 1941).

II. Special Regulations

1. WHEAT AND OTHER CEREALS

It is interesting to note that on the eve of the harvest of 1940 there were large surplus stocks of wheat in the free zone, but they

were used to meet the needs of the three or four millions of refugees. In the occupied zone certain stocks had been ruined or destroyed during the period of military operations. The 1940 harvest was bad in the occupied zone and disastrous in the free zone. And again France must give priority to the needs of the army of occupation (Statement of the Secretary of State for Agriculture, October 11, 1940).

Furthermore, France can no longer import wheat from America, and can only count on scanty arrivals of substitutes like maize, or rice from Indo-China. Thus she must live on her own resources, and here again she is handicapped by the loss of the phosphatic fertilizers that used to come from Alsace or the colonies.

A very considerable effort has been made, for the area sown in wheat has increased from 3,170,000 hectares in 1940 to 4,100,000 hectares in 1941; the Secretary of State for Agriculture was able to declare that, in spite of the absence of hundreds of thousands of prisoners, the shortage of draught animals and petrol, and many other difficulties, agriculture had responded to the appeal of the Government (Speech of April 23, 1941).

We still do not know what will be the effective result of the 1941 harvest. Already at the end of 1940 the Secretary of State for Supply was announcing that if producers did not accelerate their deliveries the country would know "at the approach of the new harvest real distress in the matter of its supply of bread" (*Communiqué* of December 19, 1940). On the 22nd of March the same Minister announced, however, that the occupied zone would deliver 800,000 tons of wheat to the free zone, and finally it seems that the gap was covered, if no more.

To meet a difficult situation the Government, by a law of November 17, 1940 (supplemented by a law of March 11, 1941, and a law published on July 12, 1941), substituted for the old National Wheat Office a National Cereals Office, whose powers, functions, and prerogatives cover wheat and the secondary cereals —rye, oats, barley, and maize.

The Office is administered by a Joint Committee of Management, the members of which are appointed by the Secretary of State.

The old *comités départementaux des cérés* were suppressed and transformed into *sections départementales* of the National Office (Law published July 29, 1941).

The Office has power to decide or to propose all measures relating in particular to:

- (1) Deliveries for producers and depots.
- (2) The utilization of stocks, and the business of milling.
- (3) The supplying of the various regions and the various classes of users.
- (4) The allocation of cattle-food.
- (5) The allocation of the ingredients of composite cattle-foods and cattle-foods mixed with molasses, and the allocation of these foods.

The Office may substitute itself for persons holding export permits in order to import soft or hard wheats in return for the produce exported by them (Decree of November 25, 1940, modified by a decree published on April 26, 1941).

A ministerial order at the end of November 1940 authorized the admixture of rye flour in bread flours. While a decree published on December 12 prohibited the use as fodder of any grain capable of yielding bread flour.

It should be noted that when an increase of the percentage of extraction of wheat flour or a modification of the conditions of admixture of substitutes brings about a drop in the price of flour, the difference in price may be borne by the Office (Law of April 11, 1941). This was in fact laid down by an order of April 12, 1941.

A law of December 7, 1940, instructed producers to deliver immediately all their grain to warehousing organizations, and instituted bounties for prompt delivery. These enactments do not appear to have had the success expected; a new law of March 9, 1941, allowed fresh extensions of time for those who were behind-hand, and increased the penalties applicable for concealment of stocks.

A committee for maize production was set up by a decree published on January 17, 1941. The law of March 18, 1941, promulgated measures, similar to those relating to wheat, for immediate delivery of all maize to warehousing organizations.

The price of cereals is fixed at the first production. To avoid a rise in the price of bread the previous quotations for wheat have been maintained for the 1940 harvest, but as an offset prices of rye, barley, and oats have been largely increased.

2. WINE

As is the case with other products, the sale of wine is hampered by the scarcity of wagons. Tank-wagons that leave the free zone most frequently never come back (*Le Journal*, September 21, 1940).

We shall examine elsewhere the measures taken for the best utilization of musts and marcs (see Section VII).

We must note that by virtue of a law published on May 27, 1941, all available wine from the 1940 harvest in excess of the

requirements of household consumption had to be placed at the disposal of the wine trade before September 15, 1941. Wines not sold by September 1 will become the property of the Supplies Department. By virtue of the same law the distillation of wines for the preparation of potable alcohol except cognac was prohibited until September 30.

We should note also that from January 1, 1941, the cultivation of vines by themselves is practically prohibited: "Every holding of five hectares, or that produces more than 500 hectolitres of wine, must include at least one-tenth of other crops."

A law published on August 19, 1941, prohibited purchases *sur souche* before the vintage. Firms which had bought in this way for at least three years are nevertheless permitted to purchase must or grapes up to one-half of their usual quantities.

With regard to the wines of Champagne, we should call attention to the creation in November 1940 of an Allocation Office, and, by a law published on April 16, 1941, a National Joint Committee for the Wines of Champagne. This body, which has the control of production and allocation, is constituted on the same model as that in charge of horses and mules (see below, paragraph (4)).

3. DAIRY PRODUCE

The catastrophic fall in milk production which is added to the stoppage of imports was brought about by the reduction in the number of cows, the difficulty of collection through shortage of petrol, and foot-and-mouth disease (Statement by the Secretary of State for Agriculture, October 11, 1940).

The charter of the dairy industry is the law of July 27, 1940, modified by the law of December 31, 1940, and by a law published on June 7, 1941, and supplemented by the five regulations annexed to the decree of August 26, 1940. Various decrees published on November 22 and 29, 1940, March 30 and April 26, 1941, put the finishing touches to the scheme.

The whole of the milk production was placed under the control of a Joint Central Committee of Milk-Producers, the members of which, as well as its Executive Committee, are appointed by an order of the Secretary of State for Agriculture. A Government Commissary represents the State on the Committee. The Committee has a delegate-general in each *département* of the country.

In each *département* a Departmental Administrative Committee, the members of which are similarly appointed by a ministerial order, controls the whole of the production and allocation within its district. All decisions of the Committee or of its President, who has managerial powers, must be confirmed by a prefect's

order; they may be referred to the Secretary of State, who gives a ruling after consulting the Central Committee.

Regional Committees may similarly be instituted either for a centre of consumption, or for production in a defined regional area, or for a natural region. Thus a Committee of Ewe-milk Production and an Interregional Roquefort Committee have been created (Decrees of December 17, 1940).

The sale of butter and cheese by the makers, outside of fairs and regular markets, is prohibited, with certain exceptions in favour of (1) consumers resident in the commune; (2) approved specialities (Law published June 7, 1941).

4. HORSES AND MULES

A law of April 12, 1941, regulates the breeding of horses and mules and all matters of dealing. A single organization has been created whose powers cover the breeding and distribution and use of the animals—the Joint Committee for Horses and Mules. The Committee is divided into two sections, one for working horses and mules, the other for thoroughbred horses.

The Committee is under the control of a Government Commissary and under the authority of the Secretary of State for Agriculture, and its duties are mainly as follows:

- (1) To draw up schedules of production and requirements.
- (2) To regulate production and allocation.
- (3) To settle the rules relating to trading and competition, and to control imports and exports.
- (4) To propose selling prices for the different grades.

It has under its control all unions, associations, groups, and organizations of every kind connected with this branch of activity.

The shortage of horses required by agriculture is estimated at about 130,000.

5. OTHER JOINT PROFESSIONAL GROUPS

For some months it has seemed that the policy of the Government is to multiply joint professional groups of the kind already described.

A Central Committee of Joint Fishery Groups established under the Secretary of State for Agriculture regulates production and distribution in the fish industry (freshwater fish) (Law of January 14, 1941).

By virtue of a law of June 11, 1941, another Central Committee plays the same part with regard to the Joint Groups of Allocation of the "products indispensable to agriculture."

A law published on August 9, 1941, establishes a Joint Committee of Vegetable Oils and Fats, charged with the production and utilization of vegetable oils of European origin.

Two laws published on August 13, 1941, create joint groups for "the flowers and perfume-producing plants of the region of Grasse" on the one hand, and on the other for "beetroot production and the processing industries dealing with beetroot."

An *arrêté* published on August 25, 1941, set up a joint group for tartar.

Special mention must be reserved for the Joint National Committee for Meat (Law published July 13, 1941). This body is charged with carrying out on behalf of the departments of the Ministry of Supply the operations previously effected directly by those departments or by the National Allocation Office. It allocates meat, fixes the regulations dealing with distribution, and is "invested with dictatorial powers" (Radio-Paris, August 3, 1941), except in the matter of prices. It should be noted that all animals must henceforth be killed in slaughter houses and that individual purchases are prohibited.

6. REAFFORESTATION

By application of the law of August 13, 1940, on the organization of forest production, there has been set up a Central Reafforestation Committee the members of which are appointed by ministerial orders (Decree of May 3, 1941).

The importance of reafforestation has greatly increased by reason of the efforts demanded from the lumber industry since the armistice. Thus the output of charcoal is to supply 35,000 lorries instead of 3000. Again wood is taking the place of leather soles and wool (Announcement by Radio-Paris, July 5, 1941).

Chapter II

THE EFFORT FOR AGRICULTURE

IN our general observations at the beginning of this section we set forth the doctrinal or political considerations that impelled the Vichy Government to favour agriculture at the expense of industry. In this respect the Government has a definite policy, which consists in reorganizing agricultural production on a corporative model, taking the family as the fundamental cell.

But in reality it was under the pressure of hunger and distress that the men of Vichy were obliged to take numbers of measures to develop agricultural production. These measures are all too often incoherent. We shall analyse the principal ones among them.

I. The Cultivation of Derelict Land

1. LARGE-SCALE WORKS

The programme of works on a large scale undertaken as a remedy for unemployment should permit of the ultimate development of large tracts of land uncultivated to-day, and some of which, like la Crau, are mere deserts covered with pebbles and rubble.

The first works contemplated include the following, according to the communiqué of the Council of Ministers of October 11, 1940:

The irrigation and draining of Bas-Rhône.

The draining of la Limagne.

The marling and draining of Sologne (Law published July 4, 1941).

The draining of Lower Brittany and Vendée.

2. CONCESSIONS TO INDIVIDUALS

The law of August 27, 1940, enacted that pieces of land uncultivated or abandoned for more than two years might be granted as concessions by a prefect's order.

The holder of the concession receives advances from the State. He pays no rent for the first three years, and thereafter pays a rent equal to one-half the rental value of similar lands or holdings in the neighbourhood.

A law of April 17, 1941, has provided for State subsidies up to 50 per cent. (with a maximum of 100,000 francs) for construction of the buildings necessary for new farming enterprises. Two instalments, each of 200 millions, have already been devoted to this object (the second by a law published on May 15, 1941).

Properties that have had the benefit of the provisions of this last law must be regularly worked. If this condition is not observed they are immediately classified again as derelict and given to a new concessionaire.

3. REMEMBREMENT

The law on *remembrement* (see next paragraph) allows parcels of land situated too far from the centre of existing farms to be easily cultivated to be made into new farms.

II. Technical Improvement in Farming

A considerable effort is being attempted by the Vichy Government to improve the technical conditions of farming. This effort is aimed at enabling French agriculture to produce more at less cost.

In this respect we should distinguish two kinds of measure. On the one hand, by *remembrement* and by the laws relating to inheritance, the Government is seeking to make and then to preserve agricultural properties that will lie in a single block, more easily workable than properties consisting of small separated lots. On the other hand, by encouraging mechanization and electrification it is trying to obtain a better return from the land and from labour.

I. THE REGROUPING OF FARMS

(i) *Remembrement*. The Secretary of State for Agriculture, Pierre Caziot, commented at length on the object of the law on *remembrement* in a statement to a journalist (*Le Temps*, April 18, 1941). His statement may be analysed as follows:

The Government is bending all its efforts to make the family the dominant element in French agriculture so that the number of paid farm workers may be progressively reduced by gradually turning them to farming for themselves. Now while family holdings are common in the West, and especially in Brittany, in other regions, e.g., Lorraine, Champagne, Burgundy, farms are very much broken into small, almost tiny parcels.

Excessive parcelling out of land, with the small size of the parcels making it impossible to employ machines, gives rise to large numbers of easements, and so increases the costs of

production. Frequently pieces of land lying too far away are in fact left derelict. Thus the cultivated part shrinks progressively and the fallows increase. "The ideal solution would be to give the districts broken up in this way into fragments a land system of small farms each in one compact piece like the system in the wooded districts of the West." The farmer could then practise mixed farming in the most profitable conditions.

The laws of November 27, 1918, and May 4, 1919, had only permitted the execution of 615 operations of *remembrement* over a total extent of 300,000 hectares. By substituting for the approved farmers' unions compulsory communal commissions, armed with wide powers, the new law should facilitate and speed up the process of *remembrement*.

The general idea is to regroup the lands so that no section would be more than three kilometres from the farm centre. The sections that are farther away and left derelict will in their turn be regrouped into new family holdings; the State will bear a large share in the cost of putting up the buildings necessary for these new holdings and in financing them.

The new law will gradually bring about a profound change in the land system of France. It will enable districts carved up into disjointed pieces to escape the paralysis that was more or less completely sterilizing them; the repeopling of those districts—now impossible—will be ensured and their agricultural productiveness will be increased.

By virtue of the law of March 9, 1941, in every commune where the need makes itself felt there is to be set up by a prefect's order a "Communal Commission of Land Reorganization and *Remembrement*." It is presided over by the *Juge de Paix*, and made up partly of representatives of the administration and partly of land-owners chosen from a list drawn up by the local corporative union, or, if there is none, by the old existing unions. Decisions are made by the prefect, who has very wide powers, with appeal to the Secretary of State, and further to the Council of State.

The lands allotted to a farm must not be more than three kilometres from the farm buildings. Lands more than three kilometres away as well as derelict lands are destined to form family holdings; after expropriation they are to be allocated as State concessions.

(ii) *Inheritance of Land.* The work of *remembrement* would be useless if on the death of the owners the regrouped lands were to be broken up once more and shared out among the heirs.

Two laws, one of July 20, 1940, the other of November 19, 1940, have enacted provisions aimed at avoiding this subdivision of rural inheritances.

The surviving matrimonial partner, or any inheriting co-proprietor of an agricultural property of value less than 400,000 francs, may, on condition that he lives on the property and takes part in working it, claim to have it as his share, subject to paying the appropriate equalizing amounts to the other heirs. For the payment of these he can demand a period of up to five years' grace, during which he only pays interest of 1 per cent. These indemnification payments again are relieved of death duties.

2. EQUIPMENT OF COUNTRY DISTRICTS

A first credit of sixteen milliards of francs was devoted to the equipment of the country, as among the schemes of public work to combat unemployment, under the following headings (Com-muniqué of October 12, 1940):

- (1) Electrification, supply of drinking water, irrigation and drainage.
- (2) Development of derelict land and schemes of *remembrement* (see above, pp. 224-225).
- (3) Improvement of rural conditions (see below, p. 231).

A law of February 16, 1941, published on April 9, provides for the creation of *syndicats de communes* and interdepartmental institutions. The programme of works is drawn up by a commission for the *département*. Decisions made by the prefect are not subject to appeal.

Another law of February 16, 1941, organizes a system of subsidies intended to facilitate the substitution of electric energy for thermal energy for ploughing, threshing, irrigation, wine-making and dairy plants, butter factories, cheese-making, etc.

A law of January 24, 1941, grants certain facilities to agricultural co-operative societies for mechanical cultivation. A Joint Ministerial Committee for Mechanized Agriculture is to be the link between the ministerial departments and the Organizing Committee of Mechanized Agriculture (Decree published on May 8, 1941). A special department of mechanized agriculture has been organized at the Secretariate of State for Agriculture (Law of April 30, 1941).

III. Finance

I. SUBSIDIES AND BOUNTIES

Independently of special subsidies or bounties relating to certain crops, which were already in existence or have been created (potatoes, olives, wool), and bounties for the delivery of cattle,

a law of July 28, 1940, modified on September 5, 1940, provided advances by the Treasury in view of the revival of agriculture (Decree of July 29, 1940, modified by a decree published April 26, 1941). A law published on February 22, 1941, postponed to December 31, 1941, the date up to which advances may be granted.

Thus two milliards of advances have been granted to farmers whose live stock had been totally or partially destroyed.

2. CONTRACTS FOR CROPS

In the same connexion comes a law of February 9, 1941, aimed at increasing the output of certain agricultural produce and placing it at the disposal of the Department of Supply.

The system is as follows. For each item of produce the output of which the Secretaries of State for Supply and for Agriculture seek to increase, a general plan is drawn up. Within this plan the State makes contracts, known as *contrats de culture*, fixing the areas to be cultivated, prices, and conditions of delivery. Those who sign these contracts enjoy (1) priority for the purchase of the harvest produced and the supply of fertilizers and seed; (2) premiums increasing the prices of the produce.

If voluntary applicants for these contracts are insufficiently numerous, production orders for a specified area or a specified quantity are served upon certain farmers. In that case they are deprived of the benefits attached to the *contrats de culture*.

The costs entailed by the premiums are covered by a tax levied on the whole crop of the commodity concerned.

The first application of the system relates to the potato, and affects 300,000 hectares. The premium is from 10 to 20 francs per quintal (Order of February 11, 1941).

The second application relates to dried vegetables, and affects 125,000 hectares (Order of March 11, 1941).

IV. Labour

Already before the war the problem of agricultural labour had become acute. Paid workers were abandoning the countryside more and more for the towns, which offered them higher wages and a more comfortable way of living.

The policy of the Vichy Government, expounded on several occasions by Caziot, the Secretary of State for Agriculture, is to turn the paid workers by degrees into owners. The activities of the corporative organization are to be directed towards this end.

But before it can carry theoretic notions into effect the Vichy Government must live. Twelve hundred thousand farm workers

are prisoners and France is hungry. At any cost, therefore, labour must be found, even if it has no agricultural training.

In this connexion we shall note a whole series of detailed measures that have been combined for this object, and the truly revolutionary legislation with regard to requisitioning.

I. VARIOUS MEASURES

(i) *Farming Apprenticeship.* A law of August 27, 1940, reorganized farming apprenticeship on a compulsory basis. It was supplemented by a law published on June 18, 1941, by virtue of which every farmer or rural craftsman who gives professional training to an apprentice for one year may receive a gratuity from the State.

A law published on July 8, 1941, reorganized agricultural education, and an *arrêté* published on August 25, 1941, created centres of agricultural apprenticeship.

It may be recalled that the Secretary of State for National Education has at his disposal an Inspector-General of Agricultural Education (Law published June 17, 1941).

(ii) *Groups of Workers.* Various measures dealt with elsewhere have as their object or their result the placing of groups of workers at the service of agriculture. Examples are seen in the bodies of foreigners organized under discipline, the Youth Camps, the gangs of the 'Companions of France.'

(iii) *Legislative Exceptions.* We know that by the law of March 14, 1941, the pension called the '*Retraite des Vieux*' is granted only to individuals who bind themselves never to take any paid work in the future. One exception to this principle acts in favour of agricultural work (Order published June 16, 1941).

Similarly the general prohibition against working during paid holidays has been withdrawn as far as agricultural work is concerned (Radio-Paris, June 17, 1941).

In the same connexion a law of March 9, 1941, enacts that from March 1 to November 15 of each year, no licence-holder or contractor to the State or any public body, no business in receipt of assistance from the State or other public body, may, without incurring heavy penalties, employ as unskilled labour any agricultural or forestry hands or rural craftsmen.

2. THE REQUISITIONING OF LABOUR

As the sum of these measures remained definitely insufficient, two laws of March 9 and 10, 1941 (Joint Ministerial Order of April 25, 1941), enacted that:

- (a) A civic service of work on the land is hereby established for youths from seventeen to twenty-one years of age, for the year 1941 (Law of March 10, 1941).
- (b) A system of requisitioning male labour is hereby organized (Law of March 9, 1941).

These two texts should be taken together. Their common feature is that they establish a purely arbitrary system for the benefit of agricultural employers. The authorities in charge of recruiting can in fact call up or not call up whomsoever they please. The general organization is as follows.

In each *département* the prefect, assisted by the departmental delegation of the *mission de restauration paysanne*, draws up a schedule of what agricultural labour is required, which he forwards to the Secretary of State for Agriculture. Centres of "*orientation rural*" receive the workers, lodge them temporarily, send them out to the different farms, and ascertain the conditions of their employment.

In principle, the quest for labour and its utilization operate within the framework of the *département*, the Secretary of State intervening only to ensure co-ordination between the different *départements*.

The prefect knows the resources of the *département* from the individual index cards kept by all employers, and noting:

- (1) Youths of from 17 to 21 years of age.
- (2) Workers of from 21 to 46 years of age, bachelors, or married more than two years without children.
- (3) Workers of from 21 to 46 years of age who have been engaged in any branch of agricultural work.

Furthermore, the *maires* of the rural communes send up to the prefect a list of all persons familiar with agricultural work who have left the commune less than ten years previously. Finally, educational establishments, youth associations, and labour exchanges send him the information they have at their disposal.

Equipped with these data, the prefect proceeds either to requisition labour, or to call up young men liable for civic service. Orders may be individual or collective.

Men requisitioned receive the rates of pay customary in the region, while youths subjected to civic service can only claim, besides their keep, a daily bonus, the amount of which is fixed by the prefect.

It should be noted that if this civic service is compulsory, in the sense that no one can evade it, it rests with the prefect to call up the young men or not. The French Press and Radio do their utmost to present it as excellent for the health of the young people; it is well and duly pointed out that it is intended to supply the

farms with the hands needed for haymaking, the grain harvest, and the vintage, but stress is specially laid on the fact that it will train the young to the discipline of community living (Radio-Paris, May 31, 1941).

V. The Quest for Owner-cultivators

In an effort to attract new farmers to the country, the Vichy Government was obliged, on the one hand, to attempt to improve living conditions by approximating them to those enjoyed by the town-dweller, on the other hand to give substantial material advantages to individuals who accept this transplanting.

1. IMPROVEMENT OF RURAL CONDITIONS

The improvement of living conditions in the country was organized by a law of November 21, 1940 (*Arrêté d'application*, published December 31, 1940).

Improvements in buildings belonging to farms enjoy a subsidy of 25 to 50 per cent., with a maximum of 25,000 francs for a single farm. The work must be carried out under the supervision of the local surveyor's department.

These measures operate in favour of landlords as well as farmers who have their landlord's consent. Failing this consent, provided the lease has six years to run, the farmer may carry out work to a maximum amount of 30,000 francs.

'Encouragement' premiums are given in the shape of additional subsidies up to 10 per cent. for the results considered best.

In his speech of April 23, 1941, the Secretary of State for Agriculture stated that these arrangements had achieved a real success and that already work was in progress on many farmsteads.

Alongside these provisions, a decree published on June 11, 1941, authorized the agricultural mutual loan societies to grant long-term loans to the agricultural associations and co-operative societies as well as to rural proprietors, farmers, and country craftsmen for housing improvement for workers, farmers, and craftsmen. These loans are no bar to the granting of the subsidies provided by the law of November 21, 1940.

Finally, a law of April 17, 1941, organized a system of subsidies, which we examined above, for the improvement or erection of the buildings necessary for new holdings.

2. GRATUITIES FOR SETTLEMENT ON THE LAND

By virtue of a law published on May 31, 1941, gratuities for settlement on the land may be granted to families, with at least one child, the head of which:

- (a) is a paid worker in trade or industry,
- (b) is of French origin,
- (c) is at least forty-five years of age,
- (d) has lived at least five years in a rural commune,
- (e) has the requisite physique,
- (f) undertakes to carry on an agricultural occupation or a rural craft for ten years.

The gratuity is disbursed by the family allowance fund. It corresponds to one-half of the sum representing the amount of the family allowances and the single-wage allowance from the day of claiming the gratuity until the day when the children attain the age of fifteen. It is paid in three equal instalments, the first on settlement, the next three months later, the third after one year.

3. CONCESSIONS

See above, p. 225.

SECTION V

PLANNED ECONOMY

GENERAL OBSERVATIONS

IN the first part of this work we reminded readers that at the time of his obtaining full powers Marshal Pétain had told the National Assembly of Vichy that he intended to reconstruct the French economic system on the corporative model, under the control of the State.

That meant that in every branch of activity mixed organizations, replacing the occupational groups either of workers alone or employers alone, would bring together both employers and workers. These organizations, by collaboration between all those concerned, were to decide upon measures capable of safeguarding all the interests concerned under the best conditions. These decisions taken in common were to abolish class conflicts and put an end to strikes and lock-outs. And furthermore, they were to result in a more equitable allocation of profits and risks between capital and labour.

The corporative system was introduced by law into agriculture, but it does not seem to have so far been actually brought into operation. Similarly it was theoretically introduced into the sea-fishing industry. With regard to industry and commerce, the Vichy Government appears to have given it up, at any rate for the time being. A Committee of the Consultative National Council, presided over by Lucien Romier, is investigating the problem, but has not yet arrived at a solution. We can only examine actualities and not projects; hence it is the system actually in operation that will be analysed.

I. The Government Programme

In his message of October 11, 1940, Marshal Pétain laid down the general ideas that were to inspire French economic legislation. The text of this message should be recalled in full:

After a period of transition during which works of equipment will have to be multiplied and spread over the whole of our territory, we shall be able, in an organized economic system, to create lasting centres of activity where every man will find the place and the wage

his capacities deserve. The solutions, if they are to be effective, will have to be adapted to the various occupations: a solution essential for industry would be without justification for the family agriculture which constitutes the main economic and social basis of France. But there are general principles that apply to all occupations.

These occupations will be organized, and their organization will be imposed on every one. The professional organizations will deal with everything that concerns the occupation, but will confine themselves to the professional sphere alone. Under the authority of the State they will have charge of the drafting and the execution of labour agreements. They will guarantee the dignity of the worker's person by improving his living conditions, even into his old age. Finally they will prevent conflicts by the total prohibition of lock-outs and strikes, and by compulsory arbitration through labour courts.

The economic system of recent years displayed the same imperfections and contradictions as the political system. On the parliamentary plane—the semblance of liberty. On the plane of production and exchange of goods—a semblance of liberalism, but actually enslavement to the power of money and a greater and greater recourse to State intervention. And this degradation of economic liberalism is easily explained. Free competition was both the mainspring and the regulator of the liberal *régime*; the moment coalitions and trusts broke this essential mechanism, production and prices were given over defenceless to the spirit of lucre and speculation.

And so there was unfolded the disgusting spectacle of millions of men in want of necessities, over against great stocks unsold and even destroyed merely to keep up the prices of raw materials. And that was how the world crisis began. Before the universal bankruptcy of the liberal economic system, nearly all peoples entered on the path of a new economy; we must in our turn take this path, and by our energy and our faith recover the time we have lost.

Two essential principles will be our guide: our economy must be organized and under supervision, the co-ordination of private activities by the State must break the strength of the trusts and their power of corruption. Far from breaking down individual initiative, our economy must set it free from its present bonds, while subordinating it to the national interest.

This programme is therefore very clear. The country's economy is to be organized and controlled by the State, that is to say directed by it; the State's rôle is to hold the balance level between producers and consumers and to prevent particular groups from influencing prices in an arbitrary fashion. It is to be assisted in this task by occupational organizations, dealing with everything that concerns the organization of each occupation and the relations between capital and labour within it.

II. The Rôle of the Occupational Groups

The whole of the French economic organization, including the distribution of agricultural produce, has been reconstructed on a single model, with modifications. Transport in all forms, which either in fact or in law directly depends on the State, is the one exception. Agriculture, indeed, is under a different system, the corporative system, but the organizations in charge of the chief commodities produced (cereals, milk, horses and mules, etc.), which have already been examined, come within the same framework, as well as the distribution of agricultural produce.

Each national branch of production or trade is placed under the authority of an Organizing Committee; each national branch of the allocation of agricultural produce is placed under the authority of an Allocation Office; the whole allocation of industrial products is placed under the authority of a single Central Office, but this office is subdivided into sections, each with a national allocation officer at its head, which centralize all questions relating to any given branch of activity. The whole of trade is directed by a General Organizing Committee, divided into special committees.

Each of these central bodies has its own staff; it is at the head of regional bodies constituted on the same model, which in turn have direct authority over all operators or employers belonging to their branch of activity, over all groups of employers, workers, or technicians attached more or less directly to this branch. What is essential to note is that these various organizations are compulsory. It is not open to those concerned to come under them or not as they please. The organizations have the power to make regulations applying with the force of laws to the whole of the occupation, and a disciplinary power over all members of the occupation.

This organization is copied exactly from the German organizations of the "Reichsgruppe Industrie" and the "Rohstoffbewirtschaftungsämter."

All the members of the Committee, and the divisions or sections of the Central Office, are appointed by the Government. They have been recruited only among the employers, and even only from among the large employers. That is to say, that the whole of French organization is to-day in the hands of the big industrialists.

In a statement to *Paris-Soir* (the edition for the free zone, March 25, 1941), Pucheu, the Secretary of State for Industrial Production, was obliged to recognize the truth of these facts. He pointed out on that occasion that his task would be in fact "to bring the industrialists day by day to understand that when they

sit in the Organizing Committee they must keep before them only the interests of the whole French community." He subsequently remarked that there were almost universal complaints that the "representatives of the great trusts" figured in too great numbers on the organizing committees, and declared his intention to modify the policy that had been pursued hitherto with regard to this.

These admissions are further corroborated by the following words of the leader writer of *Le Temps* (May 10, 1941):

Another observation seems to us to be necessary. It would be intolerable that these innumerable committees of management, of allocation, should be made up of producers, merchants, men who have various private interests, and who—for that is human nature—cannot readily dissociate themselves from them. There is no need to dwell upon this point, its importance is all too obvious. The authority of the State should be powerfully exerted, and exerted alone. It is the one condition that will enable us to rid the country of a semi-official bureaucracy that threatens to assume control, and to simplify and make more equitable the allocation of commodities among the various regions of the whole of France, or at least among those of the free zone.

III. The Rôle of the State

If the powers of the employers' organizations placed at the head of the French economic system are considerable, they are nevertheless in fact exercised under the direction of the State.

All members of these organizations are appointed by the State; a Government Commissary exercises permanent control over their transactions and has a right of veto over their decisions. Their principal decisions are, in any case, subject to ministerial approval. In the provinces the regional or departmental prefects are provided with means of exercising an equally strict supervision.

The intervention of the State has been justified by the Secretary of State for Industrial Production in statements to the Press (August 23, 1940):

Extraordinary powers, which hitherto have only been assigned to the State itself, are now entrusted to certain industrialists; and in so far as powers are granted to persons not directly answerable to the State, control is necessary. It must neither be vexatious, nor *a posteriori*, nor *a priori*; neither; therefore it must be a very flexible control, and always there. That is the whole reason for the Government Commissary. The State intervenes only on two points, to grant power, and to control the use made of it.

In practice, having regard to the persons at the head of the committees, or in charge of allocations, or acting as Government

Commissaries, we can say that all branches of economic activity are either (*a*) directed by the State with the collaboration of the big employers; or (*b*) directed by the big employers under the cloak of the State.

How could this system of State control run wild have been installed by men most of whom were only yesterday convinced theorists holding to economic liberalism? There is an undoubted paradox here.

The Vichy Government was, in fact, brought to it by circumstances. The pressure of distress and famine obliged it to take the economic reins into its own hands. Planned economy was the unavoidable consequence of a closed economy. The latter was itself the consequence of the blockade, the reasons for which, and its scope, we have explained in the first part of this work; had there been no blockade a closed economy would still have been necessary on account of inflation, itself due to the vast cost of the troops of occupation. In all this there is an assembly of facts providing a logical sequence exceedingly difficult to escape.

Le Temps in its editorial of August 20, 1940, could only display platonic regrets:

In the present circumstances a rigid supervision of the State over economic activities is inevitable. Is a planned economy the ideal? We are not called upon to admit it. Economic liberalism, it will be agreed, has titles to fame rare and splendid enough, since, as M. Belin (then Secretary of State for Industrial Production) declares, it ensured the expansion of the economic life of Europe. But it presupposes peace, regular international relations, a moral and political environment that is ours no longer. Perhaps this favourable climate will come again. In the meanwhile we must organize ourselves to live and to make the best of the few resources and liberties that fate has left to us.

After calling attention to some general conditions, we shall analyse the present systems governing production, allocation, trade, and transport.

Questions relating to supplies and the control of prices will be the subject of a special section (see Section VII).

Chapter I

GENERAL PROVISIONS

I. Central Administration

ECONOMIC questions are, according to their nature, the concern of the Secretary of State for National Economy and Finance, the Secretary of State for Industrial Production, and the Secretaries of State for Agriculture, Communications, and Supply.

1. THE SECRETARIATE OF STATE FOR NATIONAL ECONOMY

By the terms of a decree of May 15, 1941, the Secretary of State for National Economy and Finance is assisted by a Council of Economic Studies, whose duty it is to examine general problems concerning the national economy and to draw up opinions and suggestions on questions of an economic or financial nature submitted to it by the Government.

This Council is made up of Paul Charbin, Auguste Derœuf, Pierre Hallé, François Legueu, Jacques Leroy-Ladurie, François Perroux, Lucien Romier, Raoul de Vitry.

2. THE SECRETARIATE OF STATE FOR INDUSTRIAL PRODUCTION

The new organization of the Secretariate of State for Industrial Production, from which, however, the Labour departments have been withdrawn since February 1941, gives us an idea of the complexity of the State-controlled system now in force. This organization is the result of a law of May 30, 1941.

The Secretariate of State includes:

- (1) The Private Office of the Secretary of State.
- (2) The Board of General Administration.
- (3) The Foreign Branch.
- (4) The Secretariate-General for Power.
- (5) The Secretariate-General for Industry and Internal Trade.
- (6) The Secretariate for the Allocation of Industrial Products.

(1) To the Secretary of State's Private Office are attached:

- (a) The Private Secretary's office.
- (b) The General Inspectorate for Industrial Production, taking in sixteen districts with an inspector-general over each.

(2) Under the Board of General Administration there is in particular the Department of Industrial Property.

(3) The Foreign Branch co-ordinates all questions with regard to the economic relations of France with foreign countries, and in particular with Germany.

(4) To the Secretariate-General for Power are attached:

(a) The Board of Mines, under which are the mining engineers, the office of mining information, the office of geological research, the Higher National School of Mines, and the work of the mining districts.

(b) The Board of Iron Metallurgy.

(c) The Electricity Board, which is in charge of everything relating to the production, conveyance, and distribution of electric power.

(d) The Fuel Board (oil products).

(e) The Board of Building and Building Materials, in charge of everything relating to building schemes and public works and the trade in building materials (lime, cement, timber, stone, etc.).

(5) To the Secretariate-General for Industry and Internal Trade are attached:

(a) The Department of Man-power, whose functions are to be fixed hereafter.

(b) The Department of Temporary Buildings, whose duty is to centralize demands, to settle upon models, to fix prices, and arrange for the equipping of temporary buildings.

(c) The Board of Mechanical and Electrical Industry, including a department for the State mechanical works, a department of manufactures, a department of technical research (laboratories and experimental stations), a department of regional delegates (who are essentially the technical advisers to the prefects).

(d) The Board of Chemical Industries, under which there are in particular a provincial supervising service and the national powder factories.

(e) The Board of the Textile and Leather Industries.

(f) The Board of Internal Trade, which deals with all industrial and commercial legislation, with the Chambers of Commerce, occupational organization, exhibitions and fairs, transport (programmes, priority orders, tariffs, the crossing of the demarcation line, etc.), weights and measures.

(6) The Secretariate for the Allocation of Industrial Products is in charge of the Central Office of Allocation of Industrial Products, whose working will be studied later.

II. Company Legislation

I. ADMINISTRATION OF SOCIÉTÉS ANONYMES

By a law of September 18, 1940, the Vichy Government had made far-reaching changes in the regulations relating to the administration of the *sociétés anonymes*. Then, as in so many other matters, it to some extent went back on these first decisions in a law of November 16, 1940. The system now in force is the following:

The board of a company must be composed of from three to twelve members exclusive of prisoners of war. No one can hold more than two chairmanships, or have a seat on more than eight boards, this number being reduced to two for persons over seventy years of age.

The chairman must in principle act as managing director; he is considered as a trader and subjected to the bankruptcy laws (unless it can be shown that the bankruptcy is not due to any serious misdemeanour).

The chairman has power, however, to delegate his functions to a managing director, but is not thereby relieved of the responsibility normally falling upon him. If it is impossible for him to exercise his functions he can still delegate any or all of them for a limited period to another director, who will then incur the same responsibility.

Otherwise no director can be invested with managing functions. Only a small committee can be set up, composed of directors or of managers, or of directors and managers, to study the questions submitted to it by the chairman: directors who are members of the committee may draw higher percentages of profits than the others.

In case of bankruptcy or judicial liquidation the Court may decide that, within a total to be fixed by it, the company's debts are to be a charge against the chairman or the directors or certain of them, jointly or severally.

The appointment of directors of public utility companies is subject to the approval or veto of the Secretary of State concerned.

By the laws published on November 27, 1940, the charters of the Bank of France, the Crédit Foncier, and the Crédit National have been altered to bring them into harmony with the foregoing principles.

While this new régime is a definite improvement on the previous one, it is far from solving the problem of the *sociétés anonymes*; it still gives shareholders merely an illusory protection for their interests.

2. LIMITATION OF DIVIDENDS

A law of February 28, 1941, limited the amount of dividends for the duration of the war and until the close of the financial year within which the cessation of hostilities takes place. The essential objects of this law are to combat the excessive rise in the price of shares that give a fluctuating return, and to avoid an increase in the fiduciary note issue.

The following are the principles of this law:

With regard to companies that have had at least one full financial year before January 1, 1940, dividends cannot exceed those of the best of the three full financial years previous to January 1, 1940. If the capital has been increased since the close of that year by calling up new money, the dividends paid may be increased by an amount up to 8 per cent. of the additional capital. If the capital has been reduced, the dividends are to be reduced by 6 per cent. of the returned capital.

With regard to newly formed companies, the maximum for dividends is fixed at 8 per cent. on the capital employed, that of the directors' percentages at the statutory percentage corresponding to this 8 per cent., and for attendance vouchers allotted to shareholders at 0·2 per cent. of the nominal value of their shares.

It should be noted that the surplus profit can be applied by the company to such uses as it deems best, and that in particular it can devote it to the enlargement of plant or the creation of reserves. But in point of fact the State is especially anxious to encourage reinvestment in Treasury bonds.

Companies further retain the right to write off or to repay all or part of their capital provided the amounts distributed do not exceed those similarly distributed during the financial year taken as the basis of comparison.

The provisions of this law should be compared with those of the law establishing a levy on excess profits (see Section VI), which falls heavily upon all profits over 6 per cent.

3. INSURANCE COMPANIES

By virtue of a law published on May 29, 1941, two groups of insurance undertakings have been created:

- (1) Against accidents in the course of work and at common law.
- (2) Against fire and explosion.

It should be noted that for the application of the law of November 26, 1940, on *sociétés anonymes* (see above) a chairmanship or directorship of a number of insurance companies trading under the same name counts only as a single office.

III. Other Provisions

I. TEMPORARY ADMINISTRATORS

A law published on September 10, 1940, supplemented by a law of February 2, 1941, and a law published on August 17, 1941 (*Décret d'application* of January 16, 1941), allowed the Secretary of State for Industrial Production, or for certain kinds of businesses (banking and insurance) the Secretary of State for Finance, to appoint temporary administrators for businesses deprived for any reason of their official directors. The same system is applied to blocks of flats whose owner is not in a position to exercise his rights. This law has been applied in particularly numerous instances in the region of Paris.

The temporary administrator is appointed by the Secretary of State concerned on the proposal of the organizing committee which has jurisdiction over the business in question. Within the framework laid down by the appointing order he possesses very wide powers, and in especial the power to dispose of all or part of the capital or assets. His most important actions are subject to ministerial approval. The administrator presents detailed accounts after six months, and then at the end of each financial year; an auditor is appointed under the same conditions by the Secretary of State, who can similarly regulate all audits. The administrator and the auditor are paid by the company, but the administrator is financially responsible for all his mistakes in management.

At the request of the *service du contrôle* there may be placed beside the temporary administrator one or more auditors registered in a list drawn up by each court of appeal. Inspections may also be made at any moment at the instance of the Secretary of State concerned (Decree published on August 21, 1941).

With regard to the management of assets abandoned by Jews, see Section II.

Similar regulations are in force in the occupied zone, by virtue of the Order of the German Command of May 20, 1940. The administrator is appointed by the military authority.

2. PROFESSIONAL CENSUS

By application of a decree published on May 31, 1941, a census was to be taken in the unoccupied zone on July 17 of all persons of both sexes, both French and foreign, born between January 1, 1876, and December 31, 1926.

3. NEW INDUSTRIAL VENTURES

A law of September 12, 1940, modified by a law published on May 21, 1941, arranged for the financing of '*fabrications de démarrage*'—new ventures.

Manufacturers who undertake new manufactures without having received corresponding orders can ask the administration for a "letter of approval." When they submit samples of the goods produced they obtain "industrial warrants," which allow them to find bankers' credits.

Advances are granted through the Chambers of Commerce, Chambers of Trades, and corporative bodies (Laws of July 10, August 31, and October 21, 1940, and the law published May 27, 1941).

The Government may give a State guarantee of all or part of the capital invested in the businesses in question.

4. THE RÔLE OF THE CHAMBERS OF COMMERCE

The Chambers of Commerce were not automatically suppressed by the new organization of production and consumption.

A law of April 11, 1941, however, allows the Secretary of State for Industrial Production (a) to abolish certain Chambers of Commerce; (b) to alter the area under the Chambers; (c) to strike off certain members from the register and to fill up the vacancies.

5. BANKRUPTCY LAWS

Some alterations of details have been made in the bankruptcy laws by a law of February 22, 1941.

6. STANDARDIZATION

The system of standardization, consisting in standardizing all types of manufacture for the same range of objects, was modified by a decree published on May 28, 1941. A Commissioner of Standardization and a Consultative Committee assist the Secretary of State for Industrial Production in this matter. The standardization of agricultural manufactures is controlled by the Secretary of State for Agriculture.

Chapter II

THE LAW ON PRODUCTION

THE object of the law of August 16, 1940, is to nationalize the industrial production of France under Government control. Its complement is found in the law on allocation.

I. Legal Provisions

Every branch of industrial or commercial activity the position of which demands it is placed under the control of an Organizing Committee.

i. THE ORGANIZING COMMITTEES

The composition of the Organizing Committee is fixed by a ministerial order, which at the same time nominates the President and the principal members.

The committees

include only a small number of members; they may even in the last resort include only one. These members are not chosen to secure an accurate representation of the interests of the industry or business, but for their personal qualities of activity, energy, and authority, in a word for their powers of decision and action (Communiqué of October 5, 1940).

The committees do not include any representatives of the workers.

The Organizing Committee has in particular power to:

- (a) draw up programmes of production;
- (b) organize the obtaining of raw materials;
- (c) arrange a definite activity for each individual firm;
- (d) make recommendations to the public powers with regard to selling prices.

Infringements of the Committee's decisions are severely penalized. The Committee may impose penalties going so far as temporary or permanent prohibition to the head of a firm to act as director in any firm engaged in the branch of activity under consideration.

All trade unions existing in the branch of activity come under the control of the Committee.

It has been laid down that the committees

are neither deliberative assemblies, nor bodies representing professional interests, but instruments of economic action called upon to take decisions, issue regulations, and impose a discipline. These Organizing Committees thus fill a new rôle, that has never belonged to the professional groups. They in no way take the place of these groups, which, in a finally reorganized shape, will retain their task of representation and study, and under this head can give valuable assistance to the Organizing Committees (Communiqué of October 5, 1940).

The working expenses of the Organizing Committees are covered by taxes on the different firms, the rates of which vary. The collection and allocation of the taxes are entrusted to an independent cashier's office attached to the central section of the Office of Allocation of Industrial Products (Decree published on May 22, 1941).

2. THE RÔLE OF THE STATE

The State is represented on the Organizing Committee by a Government Commissary, who is frequently, in fact, a departmental head of the central administration.

The Commissary is present at the Committee's deliberations and has a right of veto over its decisions. He can even take its place if it falls short of its duties.

The Secretary of State, to whom the Commissary is responsible, can, within the branch of activity in question, requisition all raw materials, services, or products.

3. JOINT INFORMATION CENTRE

In order, as it would seem, to meet the criticisms brought against the Organizing Committees, which are charged, on the one hand, with acting without keeping in touch with one another, and on the other hand, with only including representatives of the big employers, a decree published on May 11, 1941, created a "Joint Information Centre."

The task of the Centre is to provide the general information on economic, financial, fiscal, and legal matters necessary for the work of the various Organizing Committees.

It is administered by a Board appointed by the Government, and composed of a President, a Delegate-General, and a Government Commissary. The Board is assisted by a Consultative Council of thirty members, chosen from the Organizing

Committees, the workers, employees, and representatives of the staffs, industrialists, traders, and artisans.

The assets of the *Confédération générale du patronat* were transferred to the Centre by a decree published on June 4, 1941.

II. Practical Applications

The first branch of activity for which an Organizing Committee was set up was the automobile industry (President, Baron Petiet; Director, François Lehideux, who is to-day Delegate-General for National Equipment).

Among other branches of activity organized in this way we may cite:

The textile industry (October 1940).

Insurance companies and savings banks (*id.*).

Railway material: both industry and trade (*id.*).

The leather industry (November 1940).

The clothing industry (*id.*).

Publicity (*id.*).

Electrical power (*id.*).

Lime and cement (*id.*).

Smelting (*id.*).

Chemical industries (*id.*).

Heat machines (*id.*).

Paints and varnishes (*id.*).

India-rubber (December 1940).

Naval construction (*id.*).

Ceramic industries (*id.*).

Aluminium and magnesium (*id.*).

Quarrying and dredging (*id.*).

Liquid oil fuel (*id.*).

Wire-drawing and metal-rolling (*id.*).

Agricultural machinery (*id.*).

Pharmaceutical products (*id.*).

Machines for the chemical and textile industries, and for the graphic arts (*id.*).

Miscellaneous industrial precision instruments (*id.*).

Civil engineering industries and trades (*id.*).

Coal-tar and benzol (*id.*).

Heavy forging and stamping (*id.*).

Ores and crude metals (*id.*).

Wood and timber industries (*id.*).

Paper and cardboard (*id.*).

Metal-working (*id.*).

Machine tools (*id.*).

Clocks and watches (*id.*).

Iron alloys (*id.*).

Brushes and fancy goods (*id.*).

Salt-making (February 1941).
Scrap iron (*id.*).
Sports goods and toys (*id.*).
Apparatus for lifting and handling goods (March 1941).
Non-ferrous metals and alloys (*id.*).
Meters and checking apparatus (*id.*).
Electrical engineering (*id.*).
Musical industries and trading (*id.*).
Fish-canning (*id.*).
Steel tubes (*id.*).
Perfumery (April 1941).
Gas (*id.*).
Hardware and ironmongery (*id.*).
Publishing, printing, and the book trade (May 1941).
Brewing, malting, and the hop trade (*id.*).
Alkaline lyes and glycerine (*id.*).
The asbestos industry and trade (*id.*).
Removals and warehousing of furniture (June 1941).
The fur trade (*id.*).
Dyeing, laundry, and cleaning (*id.*).
Industry and trade in old metals and non-ferrous alloys (July 1941).
Banks (*id.*).
The aeronautical industry (August 1941).
Beet-sugar manufacture (*id.*).
Publicity (*id.*).

A General Committee for vegetable and animal fats was created by a decree published on July 18, 1941; it is subdivided into three specialized co-ordinating committees.

An officially inspired note in November 1940 somewhat brazenly stated that the dissolved Comités des Forges et Houillères were replaced by the committees of iron metallurgy, of the metallurgical trade, of the fuel industry, both liquid and solid, of the trade in the same fuels, and of the allocation of (imported) coal.

Chapter III

THE ALLOCATION OF COMMODITIES

IN Chapter IV we shall study the regulations relating to trade—that is to say, to selling to the consumer. In the previous chapter we have studied the regulations relating to production. But between the producer and the consumer there are a series of intermediaries and a series of successive allocations (carriers and various agents). How is a commodity to complete the cycle from production to consumption? That is the problem of allocation and distribution.

We shall examine in succession the questions relating to:

1. The holding and declaring of stocks.
2. The allocation of industrial products.
3. The allocation of agricultural products.

I. The Holding of Stocks

An order of September 19, 1940, had already prescribed the declaration of stocks in the case of a certain number of commodities of prime necessity.

The law of February 8, 1941:

- (1) Prohibited any person not inscribed in the trades register (and not ranking as an agricultural producer) from holding for purposes of sale stocks of products, produce, or commodities of any kind.
- (2) Prohibited persons inscribed in the trades register from holding for purposes of sale stocks of any goods outside those normally dealt in by them.
- (3) Prohibited agricultural producers from holding for purposes of sale any stocks outside their own produce.

Stocks will be defined as everything "clearly in excess of the needs of family supplies, estimated in accordance with local custom."

A first declaration of all stocks was obligatory before February 20, 1941.

Infringements of the law are dealt with in the same way as infringements of the legislation with regard to prices (see Section VII).

II. Industrial Products

A law of September 10, 1940, modified by a law of March 9, 1941, created a Central Allocation Office for Industrial Products.

This Office is divided into sections, the number and composition of which are fixed by the Secretary of State for Industrial Production. Each section is under an "Allocator assisted by a Consultative Committee." A Government Commissary represents the Minister.

The Allocator, usually known as "Chief Allocator," whose decisions are to be put into execution within forty-eight hours unless vetoed by the Government, is empowered:

- (a) To oblige producers to sell to specified purchasers and, *vice versa*, consumers to buy from specified producers.
- (b) To prohibit or to prescribe the employment of certain manufacturers for certain uses.
- (c) To order the sale, under his supervision, of stocks formed by persons or groups.
- (d) To enforce all requisite regulations for supervision and registration, and to levy taxes in order to ensure the equalization of prices.
- (e) Generally to determine all regulations concerning acquisition, allocation, stocking, sale, and consumption.

The allocators and their agents are subject to official secrecy, and take an oath before the Civil Court not to disclose or, outside the exercise of their duties, to make use of any of the commercial, financial, or technical information they may acquire in the course of their investigations. They have the widest powers of control and checking, on the spot or from documents (Executive Order published May 15, 1941). They can of themselves inflict fines, failing an appeal to the Secretary of State, that may amount to as much as 20,000 francs. Infringements of decisions made by the allocators are furthermore subject to penalties imposed by the Secretary of State, who can issue warnings, debar an individual from exercising his profession, order the temporary closing of a business.

The allocators may be present at the meetings of the Organizing Committees of the industries using the products for whose distribution they are responsible (Order of January 19, 1941).

The Allocation Office now includes a central section whose task is the centralization of documents (Order of March 25, 1941).

The metropolitan area subject to the activities of the Office has been divided into regions, the chief towns of which are Montpellier, Nancy, Nantes, Orléans, Paris, Rouen, Reims, and Toulouse. In each area an Inspector-General represents the Minister (*La France de Bordeaux et du Sud-Ouest*, January 22, 1941).

III. Agricultural Produce

The rôle of the Central Office is played, for agriculture, by the "Bureaux de Répartition," allocation boards, whose task is to ensure an equitable distribution of foodstuffs among all consumers (Law of September 27, 1940).

The regulations for financial control of the groups for purchasing and allocating foodstuffs and agricultural products were laid down by an order published March 27, 1941.

It should be noted that the work of the different boards was to be preceded by numerous declarations and inventories required from farmers, merchants, and even from private individuals. To show how far it was carried it is enough to point out that in the case of dried vegetables, all stocks of more than 10 kilos, and in the case of wine, all stocks over 100 litres, must be inventoried.

Boards of the most various kinds were created. Here are some quoted at random:

- Cattle and Meat (September 29, 1940).
- Dried Vegetables (November 9, 1940).
- Potatoes (November 10, 1940).
- Champagne (November 21, 1940).
- Fish (December 6, 1940).
- Wine and Brandies (January 27, 1941).
- Preserves (March 12, 1941).
- Dietetic Foods (March 29, 1941).
- Edible Fats (April 23, 1941).
- Fruits (July 3, 1941).
- Cocoa (July 3, 1941).
- Preserved Foods (August 24, 1941).

The Secretary of State for Supply has the right to annul the decisions of the boards, and makes actual use of it; thus, for instance, the *Journal Officiel* of April 18, 1941, contains an order cancelling a regulation of the Meat Board.

It should be remembered (see Section IV) that certain agricultural products are subject to special regulations covering both production and allocation. This applies to cereals, dairy produce, horses and mules. With regard to poultry farming, in each *département* an allocator assigns the produce to its respective destinations, and particularly to preserving stations (*Communiqué* of Radio-Paris on May 22, 1941).

A law of May 17, 1941, allows the Secretary of State for Supply to obtain direct, through receiving commissions, the produce and foodstuffs necessary for the country's supplies. The cantonal commission (or less usually a joint cantonal commission) is responsible, under the director for the *département*; it must collect

and receive the produce, give out the documents entitling the farmer to payment, and dispatch the supplies to the prescribed destination. The commission normally acts by free purchase of goods at the rates fixed by the Secretary of State for Supply. Failing this, it has recourse to requisitioning, the requisition order being delivered commune by commune to the mayor. In exceptional cases it can order a seizure by the gendarmerie. And this system is to become general with regard to meat (*Communiqué of Radio-Paris, May 25, 1941*).

We must note further that the allocation of sea fish is effected under the same conditions as for agricultural produce by a National Allocation Board. In every port an allocating officer appointed by the board arranges the allocation as between fishmongers who own their boats and those who are forwarding agents. A certain percentage is reserved for the Paris markets (Order published May 20, 1941).

We must finally note the creation of a Central Committee of joint groups for the allocation of the products most indispensable for agriculture (*Arrêté published June 14, 1941*).

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Chapter IV

ORGANIZATION OF TRADE

UNTIL a recent date there was no general code of regulations applying to commerce properly so called. Such a code was established by the decree of May 4, 1941 (and altered by a decree published on July 25, 1941), which is an appropriate adaptation of the principles laid down by the law of August 16, 1940, dealing with industrial production.

The whole organization of commerce is concentrated in a General Organizing Committee for Commerce, working under the supervision of the Board of Internal Trade (belonging to the Secretariate-General of Industry and Internal Trade of the Ministry of Industrial Production).

We shall briefly analyse below questions relating to the powers and working of the General Committee.

I. Powers of the General Committee

We must define, on the one hand, the businesses that are under the jurisdiction of the General Committee; on the other, the part played by that body.

1. THE COMMITTEE'S FIELD OF ACTION

The General Committee is responsible for:

- (a) All branches of activity and firms that receive goods ready for disposal to the consumer and distribute these goods to wholesale or retail clients (except for the products of State monopolies).
- (b) Firms selling on commission.
- (c) The various middlemen of the distributing trades.
- (d) Import and export trades.

To avoid overlapping of powers with other bodies, and in particular the Industrial Organizing Committees and Allocation Boards (see previous chapter), the action of the General Committee does not apply:

- (a) Unless by exception authorized by the Secretary of State for Industrial Production, to branches of activity and firms distributing raw materials, or mechanical equipment employed in industrial production not normally purchased or used by retail clients.

(b) Unless by exception authorized by the Secretary of State for Supply, to branches of activity and firms distributing goods necessary for agricultural production, or food produce not ready for consumption by retail clients.

But even in these two cases the General Committee continues to have power to decide all commercial questions apart from the nature of the product sold (especially as regards matters of fair competition and respect for the interests of customers).

Furthermore, certain trades may be attached at the same time to an industrial Organizing Committee and to the General Organizing Committee for Commerce. In this case decisions must be subject to the approval of both Committees.

2. THE RÔLE OF THE COMMITTEE

The General Committee has as its chief tasks:

- (1) To co-ordinate returns and to lay down the rules governing the issue of professional cards.
- (2) To study and propose to the Industrial Organizing Committees and agricultural bodies measures calculated to secure the satisfaction of the needs of consumers.
- (3) To assist in the preparation and the application of regulations dealing with allocation, with price control, the structure of business firms, and methods of sale.
- (4) To study "all measures tending to put at the disposal of consumers the maximum quantity of goods at the lowest prices with the least delay."
- (5) To act as a link between the public powers and French or foreign organizations on the one hand, and the separate Organizing Committees on the other.

II. The Organization of the General Committee

The organization of the General Committee is somewhat complicated.

At its head there is a responsible Delegate-General, Pierre Benärts, assisted by a Committee of Management, a Consultative Committee, and separate Organizing Committees. If he is not available his place is taken by a member of the Committee of Management appointed by the Government Commissary.

The Delegate-General and the members of the Committee of Management, chosen from commercial circles, are appointed by decrees. The members of the separate Organizing Committees for each branch of activity are appointed by ministerial orders. The members of the Consultative Commission are similarly

appointed from among the members of the Organizing Committees.

But independently of these bodies the Delegate-General is also empowered to create sections for special investigations, the members of which are appointed by him on the advice of the Committee of Management, special commissions, and sections of the Consultative Committee the members of which he appoints by himself.

The Delegate-General presides over all these bodies or delegates his powers in this regard to a third party.

The Secretary of State for Industrial Production is represented by a Government Commissary, who is the Director of Internal Trade, and the Secretary of State for Supply by a Deputy Commissary. Either may oppose a veto to all decisions of the Committee. The other Secretaries of State can appoint Deputy Commissaries to certain separate Organizing Committees.

The working costs of the system are covered by assessments.

Chapter V

TRANSPORT

DIRECTLY after the armistice, the installations serving the transport industry—railways, roads, waterways, and harbours—were in many regions incapable of use as a result of war damage.

Railway traffic was again paralysed, on the one hand through lack of material, on the other hand by lack of coal. Road traffic was practically at a standstill for want of petrol. The Mercantile Marine saw its activities considerably hampered by the blockade.

After an examination of the general measures, we shall proceed to analyse the regulations for each branch of transport.

I. General Measures

1. CENTRAL ADMINISTRATION

Railway and road transport, as well as inland navigation, are under the Secretary of State for Communications (substituted for the Minister of Public Works). The Mercantile Marine is under the Secretary of State for the Navy, and Commercial Aviation is under the Secretary of State for Air.

A decree of December 11, 1940, replaced the Higher Transport Council by the General Transport Council, presided over by Daniel Vincent. One member of the Council represents air transport. The Council is divided into three sections: technical, commercial, and co-ordinating.

2. STATE CONTROL

A lengthy decree of December 11, 1940, completely reorganized State control over railway, road, and water transport in the metropolitan territory. State control is subdivided into (1) administrative and technical control, and (2) economic and financial control.

Administrative and technical control is under the Secretary of State for Communications, and is exercised by the General Transport Board with the co-operation of the Department of Highways

and the Department of Mines and Navigation. In the *départements* the control of local branch railways is organized by a prefect's order.

Economic and financial control is under the Secretaries of State for Communications (General Transport Board) and National Economy and Finance (Board of General Economy and Treasury Board) acting jointly. The link between the two departments is supplied by a branch of the Financial Inspectorate.

The Audit Committee for the accounts of the railway systems is maintained, but in altered form.

3. CO-ORDINATION

A law published on October 25, 1940, and applicable in both zones, enacted that in every *département* a Committee of three should draw up a plan for passenger transport that would do away with duplication between road and rail services on the one hand, and on the other with certain road services themselves.

With regard to goods, the law maintains the distinction between short hauls (contiguous *départements*) and long hauls. The latter are prohibited, except with administrative authorization, for all motor vehicles.

A decree published on May 27, 1941, laid down certain regulations relating to co-ordination of road and rail. A law published on December 27, 1940, had already aimed at facilitating combined rail and road transport.

In statements to the Havas Agency (*Le Temps*, January 8, 1941) the Secretary of State for Communications indicated that many thousands of kilometres of railways were still to be closed, and that it was his intention to replace slow trains for passengers by automobile services. As for conveyance of goods by fast service, motor lorries must no longer be employed except for parcel freights: their carriage rates must be the same as railway rates plus terminal costs. Forwarding agents again lose their power of choosing the means of transport, and must in all cases apply to the booking offices of the Société Nationale des Chemins de Fer, the S.N.C.F.

Furthermore, a law published on May 8, 1941, laid down rules for co-ordination between rail and water transport, while ensuring a division of transport between the great inland navigation companies and the small independent men. Regional co-ordinating commissions, including representatives of the S.N.C.F., the National Office of Navigation, and water transport, are to superintend the proper utilization of the resources of the railways and the waterways.

II. Railway Transport

A law published on November 1, 1940, authorized the S.N.C.F. to embark upon 300 million francs' worth of additional works and 100 million francs of rolling stock. The five years' programme of works and acquisition of rolling stock and plant was increased to 6700 millions, while a special programme of equipment was arranged involving an expenditure of 6850 millions. M. Guinand was replaced by M. Fournier at the head of the S.N.C.F. (*Le Temps*, September 9, 1940).

The working charter of the railway system until the date of the cessation of hostilities results from a law published on August 13, 1940. The working conditions of the lines or sections of lines are determined by the Secretary of State for Communications. These conditions may entail permanent or temporary traffic restrictions, the fixing of periods for delivery varying according to the lines and the nature of the goods, and the relieving of the carriers from liability. In fact, a law published on June 13, 1941, enacted that the railways would no longer be liable except in cases where they were seriously at fault. A law published on October 4, 1940, altered labour conditions.

The following are the principal measures taken:

I. Goods

Times allowed for goods in transit were increased, by an order published May 20, 1941. But a law published on October 27, 1940, permitted an order of November 30 to give priority to certain goods.

The main effort of the S.N.C.F., deprived of a part of its material by the German requisitioning, was directed towards obtaining the maximum advantage from the rolling stock available. A law of February 26, 1941 (executive order published on May 8), called for the declaration of all ordinary private goods wagons circulating over the normal lines, and their compulsory turning over to the S.N.C.F. in consideration of an indemnity.

A law of September 6, 1940, had handed over to two companies the management of all tank cars. A law published on July 16, 1941, created a tank-car managing committee, charged with regulating the use of tank cars other than those belonging to the Société Nationale des Chemins de Fer and those earmarked for carrying wine—that is to say, essentially the cars intended for carrying liquids and alcohol. The organization and powers of this committee are similar to those of the economic organizing committees already described.

Since September 1940 delivery of goods by whole wagon-loads is carried out even on Sundays (*Le Journal*, October 5, 1940), and a communiqué requested merchants to accelerate the work of loading and unloading wagons (*Journal des Débats*, September 24, 1940). An *arrêté* published on July 9, 1941, authorized the S.N.C.F. to refuse to carry goods by wagon-loads over distances less than 25 kilometres when they could be carried by road.

Considerable results would appear to have followed from the appeal. The S.N.C.F. seems to have succeeded in loading to-day 75 per cent. of the number of wagons loaded in 1939, and the effective ton-mileage to have attained 90 per cent. of that in 1939 (*Le Temps*, March 27, 1941). A communiqué of July 13, 1941, from the delegation of the French Government in the occupied regions indicated that on account of the dearth of rolling stock carriage of furniture was prohibited.

2. PASSENGERS

The number of passenger trains has had to be considerably reduced through lack of coal, diesel oil, lubricants, and rolling stock. The train mileage during the winter of 1940-41 attained only one-quarter of that in the winter of 1938-39 (Statement of the Secretary of State for Communications, January 24, 1941).

Fresh reductions in traffic were effected in February and June 1941.

Motor trains were suppressed as from March 10, 1941 (*Le Temps*, March 7, 1941).

At Whitsuntide, 1941, it was impossible to duplicate trains, and admission to certain trains had to be made subject to previous application for "admission vouchers" (Radio-Paris, May 29, 1941). This measure has since been extended to a whole series of other holidays (Radio-Paris, announcement of July 6, 1941).

At the very outset of the dictatorship measures had to be taken to avoid excessive crowding of corridors (*Le Journal*, August 26, 1940), but they remained invalid. From the testimony of all who have travelled in France recently the fact stands out that the corridors are congested, not with a single row, but with two rows of passengers standing: it is physically impossible to go along them.

III. Road Transport

Road transport is almost at a standstill for want of fuel. Forty to fifty thousand producer-gas lorries must, however, be in use at the present moment.

(See above what we have said about the co-ordination of rail and

road transport, and note besides that the Departmental Technical Committee of Road Transport has been replaced by a small committee (Law published May 27, 1941).)

In each *département* a department of allocation of road freights regulates road transport. It does not interfere with the commercial freedom of public or private carriers, but regulates it so as to obtain the best output from the material available with the lowest possible consumption of motor fuel (*Arrêté* published on August 4, 1941).

Taxation on road transport has been reduced (Radio-Paris, June 1941).

IV. The Paris Transport Board

By virtue of a law of September 20, 1940, supplemented by a law published on August 4, 1941, the working of the Paris Métropolitain (Underground) and that of the Société des Transports en commun de la Région Parisienne (buses) were to be amalgamated on January 1, 1942. A single organization will be approved by decree; the State and public bodies will be allowed to give it their financial support.

V. Inland Navigation

The charter of inland water transport was fixed in November 1940 (*Le Journal*, November 10, 1940).

The main feature of the present system of working the waterways is the large extension of the powers of the National Office of Navigation (Law published November 23, 1940).

The working of the waterways is under the Director of that Office, with the co-operation of delegates from the Organizing Committee for Inland Water Transport. The execution of orders is by the regional directors, assisted by the navigation engineers and the regional organizations created under the law of August 16, 1940, on industrial production. All contracts for the transport of goods must be countersigned by the regional director (Law of March 22, 1941, published on May 8).

(See also what has been said above on co-ordination.)

VI. The Mercantile Marine

The Mercantile Marine to-day is under the Secretary of State for the Navy (Admiral Darlan).

1. GENERAL ENACTMENTS

Two laws have been passed which have prohibited service on board any ships flying the French flag under control of a

foreign Power (Law published August 26, 1940), and forbidden captains to remove their ships from under the control of the French authorities (Law published September 5, 1940). These two measures had as their object, in accordance with the clauses of the armistice conventions, to paralyse the movement to join the Free French forces.

A decree of October 31, 1940, created commercial maritime courts in France (both zones), Algeria, and Morocco.

Maritime insurance being in actual fact a British monopoly, a law enacted that it must be exclusively effected by French houses. For war risks the State itself will act as insurer (Communiqué in *Le Temps* of November 14, 1940). A group for insuring maritime risks was organized by the law of March 20, 1941.

2. LABOUR

Temporary measures arranged for the signing on of crews by rotation in order to lessen unemployment (Communiqué in *Le Temps* of November 14, 1940).

The Merchant Service was reorganized by two *arrêtés* in execution of a law of October 13, 1940 (*Le Temps*, December 27, 1940). These orders define the active shipping service which qualifies for membership of the "corporation of seamen," and restrict employment on French ships to members of that corporation.

A law of January 5, 1941, and an order published on March 27, laid down conditions of safety and hygiene on merchant ships, fishing-boats, and pleasure-boats.

Pending the coming into force of the corporative system, the whole system of work on board merchant ships was considerably altered by a decree of February 16 and three orders of February 17, 1941.

With regard to the officers there is now no limitation of their weekly hours of work. For petty officers, crews, and stewards, etc. the working week is raised to 54 hours, distributed over six days; work beyond this gives rise to additional payment in cash.

Officers receive minimum pay ranging from 1830 to 2350 francs according to rank, augmented by a messing allowance of 34 francs a day, an allowance for increased cost of living, and duty pay. Petty officers have minimum rates ranging from 1380 to 1650 francs (overtime rates 7·50 to 8 francs an hour), plus a messing allowance of 25 or 27 francs; the crews have minimum rates varying from 495 francs (boys) to 1350 francs (greasers) (overtime rates 2·40 to 7 francs an hour); stewards and servants receive wages of 495 francs (seventh class) to 1440 francs (first class), with a messing allowance of 22 to 25 francs a day.

Officers have leave with pay of from 36 to 48 days annually. For petty officers and seamen leave seems to be regulated by common law.

3. OCEAN NAVIGATION COMPANIES

A law of March 21, 1941, organized State control over ocean companies subsidized or financially assisted by the State. This control is exercised by the controllers of the Navy and the Corps des Directions de la Marine.

A law published on December 15, 1940, reorganized the higher administration of the Compagnie Générale Transatlantique. The President is appointed by the Government, and his duties debar him from any directorship of any other company or any commercial or industrial activity. The board of directors is composed of ten members, eight of whom are appointed by the State and two by the shareholders. The President at the moment is M. Henri Cangardel.

4. WORK IN THE PORTS

A law published on July 1, 1941, organized the work of the handling of goods in commercial ports and determined the status of the dockers.

VII. Commercial Aviation

Some air lines have resumed working, in particular that of Jibuti. There is even some question of reopening the South Atlantic line.

A law of October 20, 1940 (altered by a law published on May 14, 1941), determined the changes that might be made in the contractual position of the employees of aeronautical enterprises.

A law of February 22, 1941, determined the status of the navigating staff.

A decree published on August 5, 1941, created a Department of Airports, which is in possession of full powers with regard to the use of airports and the regulations for air travel in France and Northern Africa.

SECTION VI

MONEY AND THE BUDGET

GENERAL OBSERVATIONS

Two million prisoners are no longer paying taxes; most of the other taxpayers have been obliged to take advantage of reliefs and respites; the actual rates of certain taxes have been lowered; budget forecasts of fiscal receipts are now purely theoretical.

Nevertheless the State has greatly raised its scale of expenditure, has embarked on great public works, has multiplied social expenditure and subsidies of all kinds. And hence the budget, already unbalanced through decreased receipts, becomes much more unbalanced through the increase of expenditure.

And all this time the Bank of France endlessly prints new notes. Does the inflation amount to 500 or 600 milliards? Nobody knows anything about it to-day.

What strikes an impartial observer is the complete analogy between the financial policy followed by Germany after her defeat and France's present-day policy. Is this pure chance?

The problem of the budget and finance will not detain us long, since in reality France now has no budget and no finances. The problem of money, on the other hand, deserves a slightly more elaborate examination.

I. The Rôle of Money

For men of the generation that finished its economic studies a few years after the other war, the dogma of gold has remained something sacrosanct. They were so firmly taught that it was the relation between the fiduciary circulation and the metallic cover that determined the value of a currency, that they have never succeeded in getting a complete idea of the opposite system.

And even so it definitely seems that the old classical school was right after all.

i. THE VICHY SYSTEM

In the Vichy system, which is, with a few variations, practically that of all the States living within a closed economy, there is no longer any relation between gold and the bank-note.

The French note is, in the first place, excluded from foreign trade. Authorized imports and exports that do not fall within a barter agreement are settled against their counterpart abroad by paying differences in gold or in foreign currency. The system is, in practice, as follows: a single organization deals with these operations—the Office of Exchange; it receives from French importers, or pays to French exporters, the amounts they owe or the amounts due to them, in French money. It then pays to the foreign exporters, or receives from foreign importers, the amounts due to them or from them, in foreign currencies or in gold. Thus the franc does not figure in any international transaction, and its quotation is of little importance. It should, furthermore, be noted that, for the foreigner, French notes do not represent the possibility of making purchases in France, since the entry of French notes into France is practically prohibited.

The Office of Exchange, again, must regulate authorized imports or exports in such a way that they practically balance, so that the foreign currencies it employs merely act as intermediary in a kind of indirect barter. In this way France keeps unchanging reserves in gold or foreign currencies (subject to the payment in gold of the indemnity for the occupying troops).

In the home market, on the other hand, only the French bank-note is good. But its value is not related to gold; its value is its purchasing value on September 1, 1939, and it must in principle remain unchanged.

Now, paradoxical as it may seem, it is more difficult to maintain the internal than the external value of the franc. To the control of prices must be added measures tending to reduce individual purchasing power (rationing, registration of stocks and shares, taxation on share appreciation, maximum prices for meals, limitation of dividends, etc.), so that the additional notes issued return to the banks and are reinvested in Treasury bills. The cycle is closed.

Such is the theory.

2. THE DIFFICULTIES

This system, however, finds itself up against serious obstacles. In the very first place, in international relations it is impossible to prevent prices in dealing from conforming to the internal value of the franc. Foreign buyers can only be buyers in relation to the actual French production costs; French buyers cannot acquire foreign goods unless their cost price is compatible with the possibilities of the home market.

Now the internal value of the franc tends to escape from the

control it is sought to impose. We shall now briefly examine the problem of the fixing of prices.

II. The Fixing of Prices

According to the theories of the classical economists prices ought to establish themselves in accordance with the law of supply and demand. According as supply exceeds demand, or *vice versa*, prices should fall or rise.

Now the quantity of commodities available for consumption has diminished, while the quantity of money available has in fact increased, on the one hand because of the existence of a new buyer in the shape of the German Army, on the other hand because of inflation. Consequently, if the old principles apply, the price of goods must increase.

The Vichy Government repudiates this system, which it considers out-of-date. We have seen that it had recourse on the one hand to measures tending to reduce the possibilities of making use of the additional notes in issue, on the other hand to measures directly fixing prices. And all crowned by a vigorous system of repression.

The action of the law of supply and demand is thus paralysed by an arbitrary act of the Government; there is no reason whatever for prices to rise.

But yes—there *are* reasons. It is impossible to run counter to the most self-evident of laws. Ever since the world began, if a boy has only one marble that several of his fellows hanker after he sells it to the one who offers him most for it; and so, too, we never long for a cake so much as on the days when pastry is forbidden. That is plain human nature; nothing can be done about it.

There will always be peasants who would rather not sell than sell at controlled prices, and there will always be people who would rather pay any price than do without something.

To prevent the peasants from hiding their stores the Government was obliged to begin by increasing the prices of agricultural produce. Little by little everything must needs follow suit. The rise in prices has already entailed a rise in wages, which will in turn affect prices again. And this, we must repeat, is inevitable. The price of goods must needs rise with inflation.

III. Towards a Crash

Internal prices will rise then, slowly at first, then more speedily, and in spite of the Vichy Government the national currency will go the same way on the foreign market.

Budget expenditure, already tremendously swollen, will automatically increase and give rise to fresh inflation. And so on, and so on, for this is a vicious spiral indeed.

In a few months the franc will be worth nothing (see the Conclusion).

Chapter I

THE MONETARY SYSTEM

I. Inflation

IN spite of all that has happened, France's gold reserves still hold third place in world statistics; and they are, furthermore, for the most part in safety in the colonies belonging to the Vichy Government.

Equalization agreements, particularly the Franco-Swiss Agreement, have maintained the old exchange-rate for the French franc; the official mark quotation (20 francs for 1 mark) is alone slightly less favourable than the last quotations on a free market.

And yet the Vichy Government has thrown the doors wide open to inflation.

Inflation shows itself in a double shape: direct and indirect.

1. DIRECT INFLATION

The upkeep costs of the army of occupation had been fixed at 20 million Reichsmarks, or 400 million francs a day, which represents 12 milliards monthly, and 144 milliards a year. This is more than double the whole 1939 budget, and the expenses of a single month represent a greater sum than the anticipated returns of all direct taxes for 1939.

Now an agreement of August 25, 1940, several times extended, for increasing sums, arranges cover for this expenditure by means of special advances from the Bank of France to the Treasury. This device was the prime cause of the inflation.

The suppression of the weekly returns of the Bank of France makes it impossible to discover the real money position. Taking the balance sheet on December 26, 1940, communicated "in part" to the general meeting of shareholders on March 27, 1941 (*Le Figaro*, March 24, 1941), and the report of the Governor, M. de Boisanger, to that meeting, and also information from German sources, we may regard the following figures as correct.

Advanced by the Bank to the State:

March 1940: about 30,000 millions.

June 1940: about 46,000 millions.

December 1940: 136,217 millions (of which 72,317 millions for the occupying troops).

Bearer bills in circulation:

December 1939: 151,322 millions.
 March 1940: 156,000 millions (about).
 June 1940: 174,000 millions (about).
 December 1940: 216,382 millions.

Total liabilities at sight:

December 1940: 288,000 millions (including the occupation marks).

Gold holding:

December 1939: 97,275 millions.
 February 1940: 114,613 millions (after revaluation of February 29).
 December 1940: 84,646 millions.

The drop in the gold holding is due to the handing over to the State of 30 milliards (for the Exchange Equalization Fund). It should be noted that it is all but impossible to know where the gold of the Bank of France is to-day. It would seem to be divided between Dakar, the United States, and Martinique.

The dividend of the Bank of France for the first half of 1941 has been fixed at 160 francs gross or 112 francs net (Radio-Paris, July 1, 1941).

2. INDIRECT INFLATION

To the already very high figure of 288 milliards of francs of direct inflation in December 1940, which must be raised to-day to something like 350 milliards, we should add the indirect inflation, the amount of which is impossible to calculate.

In the first place, the State issues a continuous stream of short-term Treasury bills which play the same part as bank-notes, and the total amount of which is not known. And since the notes thrown on the market by direct inflation must, thanks to the economic crisis, remain with no possibility of employment in trade or industry, the sums available for the purchase of Treasury bills must have reached a record figure. The lowering of the rate of interest is the clearest indication of this. A 4½ per cent. loan of the Société Nationale des Chemins de Fer issued in the middle of June was covered in four days (National broadcast, June 21, 1941).

In the second place, a law of October 22, 1940, altered by a law published on May 18, 1941, made payment by cheque compulsory for all sums above 3000 francs, except for beasts bought on a farm or at the fairs. It had to lay down at the same time that neither extenuating circumstances nor the benefit of the first offence should any longer apply in cases of giving cheques without funds in the bank, and that a dishonest intention would be presumed against any debtor who failed to provide the necessary

cover within five days of receiving a registered letter from the banker or the postal cheque department, or from the holder of the cheque. A new type of cheque, the "certified" cheque, was created by the law of February 28, 1941. The postal cheque department was affiliated in consequence of these changes to the bankers' clearing houses.

In the third place, the law of October 22, 1940, laid down that the State could discharge its obligations by bills drawn on the Crédit National (agreement of December 4, 1940), up to one-half of the amounts due, for all new contracts for public works over 50,000 francs and for supplies over 200,000 francs. By virtue of an order of February 26, 1941, the bills bear interest at $2\frac{1}{2}$ per cent. Holders of these bills can use them to discharge their own debts up to 50 per cent. of the total amount of such debts.

II. Exchange Control

The control of foreign exchanges is in the hands of the Office of Exchanges.

It should be observed that various equalization agreements have been made by the Vichy Government, in particular for Germany (January 11, 1941), Holland (February 1, 1941), Finland (April 27, 1941), and Switzerland.

1. THE OFFICE OF EXCHANGES

The Office of Exchanges, placed under the authority of the Secretary of State for the National Economy and Finance, took the place of the Exchange Office managed by the Bank of France (Decree of September 9, 1939) and the Clearing Office (Decree of November 29, 1939) by a law published on November 1, 1940.

The Board of Management, the composition of which is determined by the decree of December 31, 1940, and the Director of the Office are appointed by a ministerial order.

By virtue of the agreements made by Admiral Darlan, in May 1941, the Office of Exchanges operates in the occupied zone (including the Nord and the Pas de Calais) as well as in the unoccupied zone (Radio-Paris, May 20, 1941). Northern Africa is included in its sphere of action.

2. EXCHANGE CONTROL

Control of the Exchanges for the duration of the war had been established by a decree of September 9, 1939. The system resulting from this decree may be analysed as follows.

It was prohibited:

- (1) For any individual or any body corporate residing or established in France:
 - (a) To buy abroad any personal or real estate.
 - (b) To leave outside France, or to retain in foreign currency, the proceeds of exported goods, or any proceeds or revenues in foreign countries.
- (2) For any person or corporate body:
 - (a) To export securities or means of making payments, whether French or foreign.
 - (b) To carry out any exchange operations otherwise than through the Office of Exchanges.
 - (c) To engage in any business negotiations concerning gold bullion or coins without the authorization of the Bank of France.

Exceptions were provided which allowed the Office of Exchanges in particular to deliver foreign currency for the purpose of paying for essential imports, and to authorize certain transfers for the benefit of persons not residing habitually in France.

This system was supplemented by the regulations governing the declaration and repatriation, either real or nominal, of assets abroad.

A decree of April 24, 1940, had already been brought in to strengthen this legislation. On the one hand, dealings had been prohibited in 'strong' currencies (United States of America, Switzerland, Portugal) against other foreign currencies abroad as well as in France; on the other hand, all operations in securities belonging to the same countries were forbidden, whether abroad by French subjects, or in France even if the seller was French and the buyer a foreigner.

A decree of October 20, 1940, enacted that the buying and selling of all French real estate, and of all personal or real property situated in France, could be brought under regulation by ministerial order, where foreign individuals or corporations established abroad were involved, or French individuals residing outside France. An order published on October 24 prohibited, unless expressly authorized by the Office of Exchanges:

- (1) The sale of real property situated in France and French securities if the buyer is a person regarded as a foreigner.
- (2) The purchase 'for abroad' of the same properties and securities if the seller is a person regarded as French.

Foreign individuals or corporations residing or domiciled abroad, and French individuals residing abroad can, on the other hand, by virtue of the decree of October 20, 1940, already quoted,

be authorized to transfer money, securities, or assets possessed by them in France, provided:

- (a) They prove that these assets belonged to them on April 24, 1940;
- (b) Or that they were acquired at a later date by means of funds whose foreign origin is duly proved;
- (c) Or that they were acquired by means of revenue from securities and property possessed in France.

A decree of December 20, 1940, extended to all currencies and securities the provisions previously applicable only to securities and currencies of countries with 'strong' exchanges.

An order published on January 6, 1941, prohibited exporters from accepting French notes in payment, and French debtors to foreigners from discharging their obligations with such notes, and travellers from taking more than 500 francs out of the country. The value of French notes that can be brought by travellers into France was reduced from 5000 francs to 1000.

By virtue of a law of February 8, 1941 (altered by a law of May 3, 1941), when a sum is owed by a Frenchman to a foreigner, and the Office of Exchanges, without giving the authorizations necessary for a settlement, considers that the conditions laid down by the Exchange regulations are satisfied, the debtor is obliged to pay the sum in question into the Office. Whatever the currency in which the debt was contracted the payment to the Office is made in francs. This payment must be made even if the actual settlement of the debt has become impossible, as for example in consequence of measures taken by the country in whose currency settlement was to be made (Executive Order published on May 25, 1941).

A law of February 22, 1941, left to the jurisdiction of the Bank of France all transactions relating to gold coin and certain bars or ingots, but transferred transactions with regard to other forms of gold to the Central Office of Allocation of Industrial Products.

Chapter II

THE BANKING SYSTEM

A LAW published on July 6, 1941, organized the banking profession and laid down regulations for it; another law did the same for professions attached to banking.

The system is automatically applicable only to private banks, but may be extended by *arrêtés* to institutions and public departments which carry out banking operations, as well as to banks with special legal status.

Banks are the only institutions which have the right to accept deposits of funds repayable at sight or in less than two years. They must be constituted in the form of *sociétés en nom collectif*, or *en commandite*, or *anonymes* (with a fixed capital).

Management or directorship of banks in any form is prohibited to individuals who have been found guilty of certain offences (Law of June 19, 1930, and decree of August 8, 1935), and to those affected by the provisions of the law of April 13, 1941, with regard to entry into public employment. In this last case, however, exceptions can be made by the Secretary of State for National Economy.

Chapter III

THE SYSTEM OF STOCKS AND SHARES

THE system of stocks and shares has undergone two serious alterations, both meant to maintain the purchasing power of money. As the various measures of rationing limited the quantities of goods available for purchase, while inflation increased individual power to buy, stocks and shares had been the field of frantic speculation.

In order to cope with this situation, and to turn available capital towards investment in Treasury bills, independently of restrictions on the right to issue securities (Law published August 9, 1941), the Vichy Government:

- (1) Directed that all shares of companies should be registered.
- (2) Instituted a heavy tax on appreciation in stocks and shares.

I. The Form of Securities

The avowed object of the law of February 28, 1941, on the form of securities was to combat the 'black market' in shares. Dealings in shares had, in fact, come to show "rises that can only be explained as due to speculation against the franc" (*Le Temps*, March 6, 1941).

On March 19, 1941 (*arrêté d'application* of March 8), the following provisions came into force:

- (1) The shares of French and foreign companies, when dealt in on a stock exchange, can only be delivered to buyers, in the case of French companies under the form of registered scrip, and in the case of foreign companies in the shape of registered certificates.
- (2) Company shares issued in future must be in the form of registered scrip.
- (3) The shares referred to in paragraphs (1) and (2) can only be held, or converted to bearer, after issue or sale in the market, if they are deposited with a bank, or a company of stockbrokers, or a limited liability company grouping banks and stockbroking houses approved for the purpose by the Government.
- (4) French or foreign shares granted an official quotation cannot change ownership for valuable consideration without the intervention of a stockbroker, a notary, or an establishment approved as above.

Infringements of these regulations are severely dealt with. It should be noticed that the proceeds of the sale of confiscated securities are shared between the "Secours National" and the "persons who have contributed to the discovery and punishment of the offences."

II. Tax on Appreciation of Shares

The extraordinary tax on appreciation of share values instituted by the law of March 15, 1941 (altered by the law of July 26, 1941), operates from March 19 (although the law was not published until April 24). It applies only to shares of fluctuating yield, excluding bonds of fixed yield in French money and securities issued by the State. Again, it only takes account of increased values without allowing any set-offs against lowered values.

1. BASIS OF THE TAX

The tax is levied on the increment value resulting from the resale of:

- (a) Shares, partnership shares, sleeping partnerships, and subscription rights in French and foreign companies.
- (b) Bonds and drafts made out in foreign currency, or which provide for payments in foreign currency, or with an exchange option or guarantee.

The tax does not apply to the resale of securities acquired prior to March 19, 1941.

The increment value is the difference between (1) the average value of the security during the three months before March 1, 1941, or the effective purchase price, whichever is higher; and (2) the price of the sale.

2. THE RATE OF THE TAX

The rate of the tax, originally fixed at one-third of the amount of appreciation over 5 per cent., has since been decreased to one-fifth.

3. METHOD OF COLLECTION

The tax is due from the seller.

It is paid (a) by previous deduction from the price by the intermediary; or (b) at the time of registration of the transfer; or (c) at the moment of the transfer; or (d) finally upon declaration by the seller.

The administration can proceed to levy the tax without further ado if it has reason to suppose that a taxable operation has been effected, and after formal notice to the seller to make a declaration.

Delays, false declarations, and irregularities give rise to an increase in the levy and to fines.

THE BUDGET

THE essential prerogative of Parliament was the vote on the budget. It was considered as a fundamental element in a democratic *régime* that the Nation's representatives should be able to control public expenditure and grant the right to levy taxes.

Truth to tell, whether by the renewal of the budgets, or by too hasty discussions, or by blanket votes of credit, Parliament had of itself gradually abdicated from its budgetary duties. The Vichy Government has put the finishing touch to this evolution by suppressing all check on the drawing up of the budget.

We shall examine the present procedure for drawing up the budget, and the structure of the Budget of 1941 (first and second quarters).

I. Budget Procedure

A law of November 16, 1940, instituted a Budget Committee charged with advising upon the budget proposals of the Government.

The Committee, presided over by M. Drouineau, First President of the Audit Office, since retired, includes on the one hand members holding public office, on the other hand members not holding public office. It is interesting to give the list of members in order to understand the spirit of the institution.

In the first category are MM. Bonifas (Councillor of State), Cuvillier (Adviser to the Audit Office), Odend'Hall (Vice-Admiral), Edouard Leroy (Professor at the Collège de France), and de Ruffi de Pantevès (Inspector-General of the Highways Department).

In the second category are MM. de Monicault (agricultural engineer), Cournault (agriculturist), de Vitry (industrialist), Servan (former President of the Commercial Court of Lyons), Charpentier (leader of the Paris Bar), Gaillard (President of the Chamber of Trades), Liochon (printer), and Doctor Monssaingeon (representing the Families).

No annual budget has been drawn up, but quarterly 'estimates.' A communiqué of December 31 explains that in the present situation everything combined to make it impossible to prepare a budget of the classic type; it adds that "the only possible solution

was therefore to prepare an estimate confined to the needs of the departments for the first quarter of 1941. This procedure, while giving the administration the means of functioning, will allow a closer touch with realities and an adjustment quarter by quarter of the revenue to actual needs."

II. The 1941 Budget

i. FIRST QUARTER

The budget (Finance Law of December 28, 1940) is divided into the ordinary budget and the extraordinary budget. The costs of occupation are not included in the budget and are entered in a special Treasury account by virtue of the law of August 25, 1940.

The *ordinary budget* includes the whole of the permanent charges of the administration, the military departments, and the public debt. It amounts to 24 milliards 411 million francs, analysed as follows:

Public Debt	5117	millions
Annuities and Pensions	3624	"
Personnel	5641	"
Materials	3377	"
Public Works	2012	"
Social institutions and share in the expenses of municipalities	3495	"
Various	1145	"

The *extraordinary budget*, which includes expenditure "directly resulting from hostilities," amounts to 15 milliards 291 million francs, analysed as follows:

Liquidation of expenses resulting from the war	12,116	millions
Public works and measures against unemployment	3,175	"

The total of the two budgets represents 39,702 million francs. It should be observed that there is no budget for receipts.

2. SECOND QUARTER

The ordinary budget (Finance Law of March 29, 1941) amounts to 22,732 millions of francs and the extraordinary budget to 10,032 millions. The total comes to 32,764 million francs.

The total for the first six months of 1941 is therefore 72 milliards and 466 millions of francs, while the last pre-war budget was only for 66 milliards for twelve months.

III. Treasury Operations

The Treasury makes a continuous issue of Treasury bonds of short or medium term. These are issued in dimensions of 500, 1,000, 5,000, 10,000, 50,000, 100,000, 500,000, and 1,000,000 francs (Order published June 26, 1941).

The law of May 6, 1941 (supplemented by an order of the same date and orders published on May 29 and June 7), prescribed the conversion of previous national loans and securities issued against war damage amounting in all to 9500 million francs, as well as bonds issued by various groups of victims of the war of 1914-18 amounting to two milliards. The conversion loan issued by the Crédit National is a lottery loan, carrying interest at 4 per cent. and repayable in fifty years. Through this conversion operation the budget should be relieved by about 250 millions.

The redemption of redeemable securities proceeds at the rate and under the conditions laid down.

The abundance of money resulting from inflation has, furthermore, permitted the lowering of the rates of interest on all Treasury bonds, while the discount rate of the Bank of France was lowered from 2 per cent. to 1½ per cent.

In a year the deposits in the three principal deposit banks rose from 39 to 58 milliards (*Le Temps*, April 6, 1941).

Chapter V

TAXES

I. Reductions or Alterations in Taxes

THE law of August 5, 1940, reduced the rate of the extraordinary national levy on salaries from 15 per cent. to 5 per cent., with retrospective effect as from July 11, 1940. The repayment of the amounts overcharged from July 11 was effected by deduction from subsequent payments (*Communiqué in Le Temps* of August 15, 1940).

One of the chief financial resources of communes and *départements* is still the *contribution mobilière*, which consists of a percentage levy on the letting value of all dwellings. A law published on October 12, 1940, enacts that from 1941 the total amount upon which the *contribution mobilière* is levied will be decreased in each commune by the amount of the letting value of all dwellings that have become vacant. It will subsequently be increased in proportion as the empty dwellings come into occupation again.

Another law published on the same date, on the other hand, suspends reliefs in the production tax and the tax on export transactions.

A law of January 13, 1941, suppressed a whole series of miscellaneous taxes.

A law of February 20, 1941, made substantial reductions in the duties pertaining to the formation and amalgamation of companies and to transfers of securities from the holdings and reserves of insurance companies.

Taxes on road transport were reduced in June 1941 (Radio-Paris, June 6, 1941).

A law published on December 10, 1940, increased by nearly 10 per cent. the scale of death duties, but substantially increased the abatements and reductions allowed to large families (see Section II).

II. Periods of Grace and Abatements

A law and a decree of October 21, 1940, granted periods of grace and reliefs for certain classes of taxpayers. Prisoners of war, again, have been given complete exemption from all sums due from them in direct taxes.

A law of October 22, 1940, provided respite for landlords who had received less than two-thirds of the total rent of their houses.

(See above the enactments with regard to the tax on appreciation of securities.)

III. The Levy on Excess Profits

Of all the fiscal legislation of Vichy the most important is the law of January 30, 1941, which instituted an extraordinary levy on excess profits of industrial or commercial firms. But here again, under the semblance of a new tax falling upon excessive profits, the Vichy Government has merely lessened the severity of the former fiscal system, at any rate for the majority of firms.

A decree-law of July 29, 1939, had, in fact, imposed a progressive tax on the profits of firms engaged in work of national defence. A decree-law of September 1 following had extended this to all firms working for national needs, and then a decree-law of September 9 extended it to all firms without distinction. The tax was 25 per cent. on all profits less than 2 per cent. on the turnover, 50 per cent. on profits between 2 per cent. and 6 per cent., 75 per cent. on profits between 6 per cent. and 8 per cent., and 100 per cent. on all profits beyond 8 per cent.

The law of January 30, 1941, retains this levy only on firms that worked for the national defence, and for the period up to September 1939.

For the later period and for the future—that is to say, for the period starting with the outbreak of hostilities until the end of the year during which hostilities cease—there has been instituted a progressive tax, no longer upon the total profits, but merely on the excess of profits obtained in comparison with a basic profit regarded as normal. This tax affects all firms liable under the schedule of industrial and commercial profits except those engaged on contract work and small home industries.

The basic profit is, at the option of the taxpayer, either the average of the financial years ending in 1937 and 1938, or interest at 6 per cent. on the capital employed. Any excess under 10,000 francs is exempt. The surplus is taxed at the rate of 20 per cent. on anything less than 25 per cent.; 30 per cent. on the portion between 25 per cent. and 50 per cent.; 40 per cent. on the portion between 50 per cent. and 75 per cent.; 60 per cent. on the portion between 75 per cent. and 100 per cent.; 80 per cent. on anything beyond.

Two decrees of January 30, 1941, laid down the methods of calculating allowances from profits for renewals of buildings, plant and machinery, and stocks.

Exemption may be granted to firms created after June 25, 1940,

which belong to certain categories of economic activity determined by joint ministerial orders (Law published July 1, 1941).

We may compare the regulations concerning the taxation of excess profits with the clauses of the law of February 28, 1941, which limited the percentage of company profits that could be distributed in dividends (see Section V).

APPENDIX

The number of stockbrokers is decreased by suppressing offices as they become vacant. In particular there should be noted an order published on April 18, 1941, relating to the stockbrokers of Bordeaux, in the occupied zone.

The smallest *coin* is now the ten-centime piece; the ‘*petit sou*’ has disappeared. And again the centime has also disappeared from public accountancy. Twenty-centime pieces are struck in zinc (Law published July 2, 1941).

The new ten-centime pieces are made of a new alloy of a bluish tinge.

The new five-franc pieces in cupro-nickel have on the obverse the head of Marshal Pétain bare and in profile; on the reverse “the new arms of the State, the Marshal’s baton and the francisca symbolizing power” (*Le Temps*, March 6, 1941).

New twenty-franc notes are also in circulation.

SECTION VII

SUPPLIES AND PRICES

GENERAL OBSERVATIONS

THE problem of supply is one with which in normal times the State is not called upon to deal. When production and distribution are free, and international exchanges are untrammelled, when no inflation leads to the adoption of restrictive measures, the demands of consumers are readily satisfied. Selling prices are established in relation to the cost prices and the operation of the law of supply and demand. The public powers need only intervene to see that the trusts and cartels do not encroach on the liberty of trade and industry, either by concerted and unjustified rises in price from which the consumer suffers, or by large-scale decreases intended to eliminate less powerful competitors.

In time of war, or in a country with a war economy, the problem is completely different. The necessity of reserving certain factories for certain products, and carriage for certain commodities, the desire to reserve available capital for the needs of the State, and to prevent the depreciation of the currency by reason of private importing, all this leads the State to establish a system of restrictions.

The system in force in France to-day is all the more severe because not merely can France no longer import, but a part of her resources is seized by the enemy and goods no longer circulate freely through her whole territory.

From the theoretical or doctrinal point of view this system calls for no particular commentary. It is, *mutatis mutandis*, the same as that existing in all the countries of Europe. If we devote a certain space to it, it is because it constitutes the touchstone for the present position in France.

The system of supply involves in actual fact three distinct pieces of legislation. A first series of measures tends to restrict consumption, or, more accurately, to arrive at an equitable distribution of all available products between individuals without regard to their financial position. A second series of measures tends to increase the quantity of available products by increasing production and by a better use of existing products. A third series of measures

tends, on the one hand, to slow down the rise in prices that must be the consequence of the scarcity of available products; on the other, to check schemes or manœuvres against the principles of the legislation limiting consumption.

When, in the conclusion of this work, we set out the results of the task assumed by the dictatorial *régime* in France, we shall show the complete failure of the three series of measures just enumerated.

We must, however, at once indicate that the severity of the food restrictions in France is such that it constitutes a serious danger to the health of the race. Attempts have been made to remedy this by distributing foodstuffs fortified with vitamins and full-cream milk in schools, but these measures, which affect only children, are very inadequate even where the children are concerned.

The Food Section of the Higher Council of Public Health has been obliged to pass resolutions requesting (1) that certain flours should be reserved for children, and (2) that children should be weighed at regular intervals in the schools, and that those found to have lost weight should be excused from physical culture (Radio-Paris, June 14, 1941).

Chapter I

RATIONING

THE whole body of questions relating to the food supplies of France falls within the province of the Secretariate of State for Supply. Actually, however, the solution of many questions involves concerted action by this Secretariate and that for Agriculture. The Secretary of State is assisted by Inspectors of Supply.

A General Supply Board has been created for the Paris region (Law of October 22, 1940). A law published on July 30, 1941, set up a National Consultative Council of Supply.

Problems relating to other than food products are dealt with by the different Secretaries of State according to their respective functions, and especially by the Secretary for Industrial Production (assisted by the Organizing Committees).

Rationing is effected in two different ways:

- (a) On the one hand, particular merchants can only sell particular commodities on particular days, or in certain fixed conditions.
- (b) On the other hand, consumers can only obtain certain goods by surrendering tickets, coupons, or vouchers.

I. Selling Restrictions

Selling restrictions essentially affect:

1. Butcher's meat and poultry.
2. Pastry, cakes, etc.
3. Restaurants.
4. Beer.

I. BUTCHER'S MEAT AND POULTRY

By virtue of a decree published on December 28, 1940, the sale of butcher's meat, pork butcher's wares, and offal is prohibited on one or more days each week, as follows:

- (a) Butcher's meat: three consecutive days.
- (b) Horse-flesh: the three days (Sunday excepted) on which the sale of butcher's meat is permitted.

- (c) Pork butcher's wares: two consecutive days appointed among the three days during which the sale of butcher's meat is prohibited.
- (d) Offal: one day appointed from the two days during which the sale of pork butcher's wares is prohibited.

Again, the sale of poultry is allowed only on days without butcher's meat.

2. PASTRY AND BISCUITS

By the terms of a decree published on June 5, 1941, the making and selling, and also the consumption in public places, of the following items are prohibited:

- (a) Pastry and confectionery containing flour or semolina of wheat, rye, barley or maize, or any other flour or semolina not authorized by the Secretary of State.
- (b) Waffles, pancakes, crescents, brioches, kouglofs, iced or caramelized articles, puddings, puff paste, cakes containing cream.
- (c) Biscuits, except those included in a restrictive list.

Articles made with authorized flours or semolinas are sold without tickets. Furthermore, the sale of meringues, macaroons, *pains de Gênes*, and cakes made with almonds and fruits is permitted.

3. RESTAURANTS

Thirty-two laws, decrees, and orders had made the work of restaurants so complicated that an order of May 2, 1941, was necessary to codify these different texts; it did not abrogate the laws, but—by a juridical oddity—it abrogated all previous decrees and orders.

The regulations apply to all establishments, of whatever description, that serve meals or light refreshments to the public.

(i) *General Composition of Meals.* Meals may no longer be served *à la carte*.

All establishments must be classified under one of four categories according to the fixed price of meals as follows:

- A—35 francs 10 centimes to 50 francs.
- B—25 francs 10 centimes to 35 francs.
- C—18 francs 10 centimes to 25 francs.
- D—18 francs maximum.

The prices of these meals can be increased (1) for the drinks served with them, especially wine, and (2) for caviare, shellfish, oysters, fresh salmon, foie gras, and truffles, up to a maximum increase of 35 per cent. of the maximum price of the category concerned.

In short, the highest price for a meal in a French restaurant to-day is 67 francs 50 centimes (category A), plus the cost of wines.

In any restaurant only two menus can be offered (at the same price or at different prices) for categories A to C, and three menus for establishments of category D serving more than twenty meals a day.

It is compulsory for the menu to follow one of the following models:

- (1) One soup or an authorized hors-d'œuvre.
- (2) (a) One dish of meat, poultry, or game with vegetables, or
(b) one fish and one vegetable, or (c) eggs, one vegetable, and cheese, or (d) two vegetables and cheese.
- (3) A sweet, excluding any form of pastry.

The menus, openly displayed, and kept for fifteen days at the disposal of the Food Control agents, must state the total price, and the analysis of this price course by course. Every customer has a right to omit one of the courses and to benefit by the difference in price.

The restaurant-keeper must demand the coupons corresponding to the dishes served, with a maximum of 90 grammes of meat, 20 grammes of cheese, 10 grammes of fats before three o'clock in the afternoon and 5 grammes after.

(ii) *Special Restrictions.* Only one hors-d'œuvre may be served, which must be chosen from a list set out in the order. Only snails may be served hot.

No meat, pork, offal, fowl, or game may be served between three in the afternoon and six in the morning (hence, in particular, not at dinner). Butcher's meat is completely prohibited on three consecutive days in each week, horse-flesh, sucking lamb or sucking kid, poultry and game, are forbidden on the days when meat is allowed, pork, etc. on two consecutive days out of the three meatless days, tripe and offal on one day chosen under the same conditions for category D and on all days for the other categories.

It is prohibited to serve salt cod, except for meals in category D. Fish (except scallops at dinner) is prohibited on the days on which meat is permitted.

Bread must be stale and served in pieces of 50 grammes; it is forbidden to waste it, to throw it away, or to leave pieces. Pastry, custard, and fresh cream are prohibited. Coffee may not be served after three in the afternoon. Sugar must be mixed beforehand with foods that must be sweetened, otherwise it is forbidden. Butter can be served only as an ingredient in cooked dishes.

4. BEER

The sale of beer, in consequence of the scarcity of barley, has had to be prohibited on two days a week (*Le Temps*, March 7, 1941).

II. Restrictions on Buying

Rationing essentially affects foodstuffs. It is much more severe than in Germany; the French rations can be estimated at two-thirds of the German ration for meat; for sugar one-half, and for fats only one-third. A substantial number of products other than food are also rationed—soap, petrol, gas and electricity, shoes, motor-cars.

Most rationed foodstuffs (with the exception of full-cream milk) and soap are obtained by surrendering coupons or tickets detached from a single food card; other commodities are, on the contrary, subject to individual regulations.

It should be observed that certain commodities which are scarce or unprocurable, such as medicines and drugs, are exempt from rationing. The dearth of drugs, even of indispensable drugs like insulin, in the unoccupied zone is due to the fact that most laboratories and manufactories are in the occupied zone, and also to the lack of transport (*Le Journal*, September 13, 1940); to remedy this the Government has made an agreement with the German Government (Communiqué of November 10, 1940), and has been obliged to sell drugs from the army stocks (*Journal des Débats*, September 12, 1940).

We shall briefly examine the general conditions governing the sale of rationed goods, and then the separate regulations for each item.

I. GENERAL MEASURES

Severe as rationing is in France, the retail shopkeepers often fail to receive the minimum quantities necessary for their customers. The rations remain to a certain extent theoretical, and only show the maximum that a consumer can obtain.

To take only a few examples, and official examples, the sugar tickets for July 1940 had in certain *départements* to be carried over till August 15, but reduced by one-half, and the August coupons confined to old persons and children (*Le Journal*, August 7, 1940). Distributions of potatoes were suspended during the whole month of May 1941 (Radio-Paris, May 25, 1941), as well as of chocolate.

This insufficiency of commodities has entailed the growth of endless queues outside the doors of the shops. In January 1941 they were selling at Lyons crows (10 francs), squirrels (12 francs),

and sparrow-hawks (15 francs), as game (Reuter, January 24, 1941).

The correspondent of *Le Temps* in Paris writes (January 6, 1941):

Housewives are still crowding outside the food shops in as great numbers as ever. Food is an unremitting anxiety. It is the theme of every conversation at every moment of the day. Even men very commonly take part in this scramble. Many a one, with a magistrate's portfolio under his arm, or even carrying a simple shopping bag, takes advantage of spare moments from his day's work to help in shopping for the home. . . . In certain quarters the butchers' shops remain hermetically shut for want of wares. "No meat to-day" is the notice often found displayed in the morning. . . .

The Government was forced to take measures to meet this situation.

At the end of August 1940 a priority card was instituted for mothers of large families and for expectant mothers (see Section II).

A law published on November 13, 1940, gave prefects the right to fix by order the minimum hours for which shops selling rationed goods must be open to the public; these hours must not be less than eight on any day of official opening. Access to the shops must be reserved during certain hours for persons whose occupations keep them away from their homes during normal hours. Furthermore, consumers must register at the beginning of every month with a retailer, whom they are at liberty to choose, for each of the rationed foods; this retailer must reserve for them the amounts to which they are entitled, but can fix the day and hour for them to take delivery of the goods.

2. RATIONED GOODS

We shall indicate below the measures that relate to foodstuffs and the other main products that are rationed, it being always borne in mind, as already stated, that retail shopkeepers are often unable to supply their customers with their theoretical quotas.

On the other hand, we must point out that prefects' orders may grant extra rations of certain products, particularly when others are lacking.

Mothers of large families, and expectant mothers from the seventh month of pregnancy, have a right to certain supplementary rations, which will be noted under the appropriate heading.

A. Foodstuffs

Bread. The sale of fresh bread, i.e., bread less than 24 hours old, is prohibited. The composition of bread has been several times altered. The proportion of substitutes included (especially

barley and buckwheat) must be at least 10 per cent. (Decree and order of January 13, 1941).

In ordinary times the average daily consumption of bread was 420 grammes. The ration, fixed at first at 350 grammes daily (September 1940), is now according to the age and the activity of the consumer. After varying from 150 to 450 grammes, next from 100 to 400 grammes, and being severely reduced from March to May 1941, it was fixed for June at 100 grammes for children and 200 to 350 grammes for adults. Mothers of large families are granted additional quantities.

Pastry and biscuits are included in the bread ration since January 1, 1941. Flours are also included.

Finally, "fancy" bread since December 1940 calls for the surrender of additional coupons.

Cheese. The following cheeses are allowed to be sold:

- (a) Fresh cheeses containing not more than 15 per cent. of fat.
- (b) Fermented cheeses containing not more than 40 per cent. of fat.
- (c) Cantal, Roquefort, and goat's-milk cheeses.

The ration, which was fixed at 50 grammes weekly, was raised to 75 grammes for May 1941, and reduced again to 70 grammes in June, 60 grammes in September, and 50 grammes in January 1942. Expectant mothers have a right to an additional 25 grammes.

Chocolate. Chocolate rationing was instituted by decree on April 29, 1941; the ration, varying from a quarter to half a pound, is allowed only to children, young people, and old persons. Actually the May ration could not be allocated until June.

Coffee. The coffee ration, originally fixed at 300 grammes monthly, has been reduced to 250 grammes (excluding children).

The sale of pure coffee is strictly prohibited. The coffee authorized originally contained one-third roasted coffee and two-thirds substitutes. To-day it contains 60 grammes of coffee to 190 grammes of substitutes (Order of November 4, 1940).

Customers have a right, instead of their ration of ordinary coffee, to 60 grammes of pure coffee de-caffeined; the caffeine extracted from this coffee by the firms authorized to produce it must not be used except for pharmaceutical purposes (Order published May 7, 1941).

It is prohibited again to serve coffee in restaurants, hotels, or cafés after three o'clock in the afternoon (Decree published September 5, 1940).

Léon Paul Fargue finishes one of his articles as follows:

It was a fashion that had recently come in again. I have known mistresses of households who prepared their coffee with their own hands in strange bulbous retorts that made one dream of alchemy.

The essence of luxury, which the few initiates ingested slowly, and which had but very far-off cousinship with the burning liquid, good though it might be, that you gulped down from the corner of a zinc-covered bar. What working man would have consented to begin his day without the comfort and support of a '*petit noir arrosé*'—the little cup of black coffee with a drop to qualify it? And now how can we describe the extract of sawdust, the pounded brick, the roasted horse liver, that we get served to us? (*Le Figaro*, March 18, 1941).

Cream. The sale of fresh cream is prohibited.

Dried Vegetables. The ration of dried vegetables or vegetable semolinas is 250 grammes monthly (exclusive of infants).

Fats. The ration of fats (butter, margarine, vegetable fat or oil), originally fixed at 200 grammes, has been reduced to 100 grammes since October 1940. Expectant mothers have a right to an additional 50 grammes.

Italian Paste Products. The ration, fixed at 250 grammes, was raised in May 1941 to 500 grammes a month. Expectant mothers have a right to an additional 250 grammes. The sale of hard wheat semolinas is prohibited, these semolinas being reserved for Italian *pastas* (Order published June 26, 1941).

Meat. The meat ration (butcher's meat, pork and pork products, preserved meat, horse-flesh) instituted in September 1940 remained for a long time at 360 grammes weekly (including 20 per cent. of bones). It was reduced to 250 grammes for May and June 1941. Expectant mothers have a right to an additional 180 grammes.

Milk. Rationing of milk did not become general until October 1940. Full-cream milk is reserved for children, old persons, and sick people, who may have from one-quarter to three-quarters of a litre daily.

Official propaganda extols the nutritive value of skim milk, the sale of which remains uncontrolled (Communiqué of October 9, 1940).

Potatoes. From October 1940 delivery of potatoes to the homes of the buyers has been prohibited, which curtailed the possibilities of hoarding and speculation. Since March 1941 a system of rationing has been in force as for other produce.

Poultry. The probable rationing of poultry had been announced by the Government (Statement by the Secretary of State for Supply, March 24, 1941). No positive measure appears, however, to have been taken up to the present. The movement of poultry and eggs is nevertheless under stringent regulation (Radio-Paris, July 1, 1941).

Rice. In August 1940 the rice ration was a uniform 100

grammes; then the sale was completely stopped. The ration from October 1940 to February 1941 was once more fixed at 100 grammes, but reserved for children under three. From March to May 1941 it was 100 grammes for adults and 200 grammes for children. In June children were allowed 200 to 300 grammes, but the adult ration was suppressed. No distribution was made in August 1941.

Sugar. The monthly sugar ration from the beginning was fixed at 500 grammes for adults. For children it has been raised from 750 grammes to 1 kilogramme. Expectant mothers have a right to an additional 500 grammes. A special allowance was granted in July for jam-making.

Swedes. So far only the movements of swedes are under regulation (Order of February 24, 1941). We know that at the present moment it is one of the basic food products of France.

Wine. It is somewhat paradoxical that wine rationing should have had to be established in France, the chief producing country. Nevertheless it was decided that during the period from June to September 1941 shops and public-houses could not sell more than 70 per cent. of their normal sales. The restrictions will be withdrawn if the 1941 grape harvest is good. All stocks over 100 litres had to be declared before July 5, 1941 (Radio-Paris, July 1, 1941).

The President of the Paris Wine Merchants' Association explains these measures by an increase in the consumption of wine, due to the disappearance of certain *apéritifs*, such as anis and mandarin, as much as to the lack of certain foodstuffs (Radio-Paris, June 12, 1941). But in reality the scarcity of wine is above all due to the increased uses of wine products (grape sugar, oil, etc.) and to the fact that the Germans are turning large quantities of wine into fuel spirit.

B. Other Commodities and Products

It is impossible to go through all the restrictive measures relating to products other than food; every day sees the publication of fresh decisions by those whose task it is to allocate these. We must confine ourselves to noticing the most important.

Boots and Shoes. The law of January 3, 1941 (supplemented by a ruling and an order published on January 5 and 6), instituted the rationing of boots and shoes. Permits to buy granted by the *mairies* are subject to a declaration stating the exact number of pairs of shoes in good repair, or capable of repair, possessed by the applicant. In principle, no one may have more than two pairs in good condition. The good faith of the declarations may be

checked by home investigations by representatives of the "Secours National" appointed by the prefects.

Workers can buy shoes called 'National Shoes,' of a uniform pattern, containing a very small quantity of leather, the prices of which were fixed by an order of April 25, 1941 (133 to 150 francs for adults and 80 to 154 francs for children).

Clothing. Except for the measures taken by the Organizing Committee of the Clothing Trades (prohibition of woollen cloths, limitation of the number of the models produced by the great dressmakers, etc.), the rationing of clothing had not, at first, been the object of general measures.

Then a system similar to that for boots and shoes was instituted by the law of February 11, 1941.

By virtue of this text, only textiles and articles of clothing appearing in a restrictive list drawn up by the Secretary of State for Industrial Production were exempt from any measure of rationing (*Journal Officiel* of February 13, 1941).

All other products or articles could be obtained only on presentation of 'purchase permits,' obtainable from the *mairies*, but these permits themselves could be obtained for adults only in "exceptional circumstances" which the consumer must justify in writing.

The wording of the text of Article 2, paragraph 2, of the law is one of the pearls of the Vichy legislation:

The delivery of purchase permits to any person of seventeen years of age and upwards is prohibited unless in exceptional circumstances, which will be defined by an order of the Minister Secretary of State for Industrial Production and Labour.

Purchase permits may be granted to *persons of three years of age* and upwards and less than seventeen years of age in case of urgent necessities duly justified.

The delivery of purchase permits is compulsory for all children under three years of age, or for the procuring of a layette within average requirements.

'Exceptional circumstances' had been defined by an order of February 11, 1941:

The delivery of purchase permits to consumers of seventeen years of age and over is limited to cases of marriage, of mourning for a near relative, of pregnancy, of return from having been a prisoner.

Permits could also be obtained, upon justification of the application, by persons who had not previously been in a position "to procure an outfit comprising bare necessities," or who had lost it through unforeseen circumstances.

It should be noted that by virtue of another order of the

same date the controller could, notwithstanding the law, authorize dressmaking houses indicated by him to sell new clothes within the limit of the sales of the corresponding month in 1938. This meant that the "great dressmakers" escaped the general regulations. It may be remembered in this connexion that the controller is Lucien Lelong.

However, there was still a flaw in the system. On March 15, 1941, Georges Ricou (*Le Figaro*: "*Après la Belle Enchère*") wrote:

I then discovered what was now impelling the crowds to the Hôtel des Ventes; here (at Lyons) as in Paris, and all the cities. They were going in to hunt for the wherewithal to replenish their cupboards at last. Linen, clothes, shoes, everything that you are forbidden to buy without swearing on your honour that you are worn to threads or on your uppers, all abound inside these walls, free and uncontrolled. The Hôtel des Ventes is the last shop where you can buy without coupons.

And so conversation has taken a new turn. No longer is it a confidential: "In room B there's a delightful Louis XV writing-desk to be sold."

Now it is whispered in an ear: "It seems they're selling six dozen handkerchiefs in room B, pure linen, marked L. D. If that interests you. . . . My initials are G. V., but I found excellent shooting boots, as near my size as makes no odds."

I'm delighted to put you on to this find. Only look out: better learn ju-jitsu first or you'll never get across the threshold of room B, nor room A, nor any other room.

No doubt it was this article that attracted the attention of the public powers, for on March 29 the *Journal Officiel* published a decree, dated March 8, prescribing the surrender of coupons, permits, or tickets, for purchases at auctions.

The provisional system instituted by the law of February 11, 1941, gave place to a new system instituted by a law published on June 24, 1941. It was, in fact, impossible to maintain the complete hold-up indefinitely.

The regulations apply to all textile products, including silk and rayon, for clothing and domestic use, and hence to garments, underclothes, house linen and furnishing fabrics. The articles may be procured:

- (1) Free if they figure in a list compiled by ministerial order and including 46 items (Radio-Paris, June 25, 1941).
- (2) On surrender of tickets from a provisional card or a special card. Actually the cards entitle the holder to 100 points, of which 30 are immediately usable, for adults, 140 points for children under three years of age, and 240 points for layettes (Radio-Paris, June 25, 1941).

- (3) By presenting purchase permits in exceptional cases. These cases include persons finding themselves compelled to get together a minimum outfit made up of 2 suits, 2 working suits, 1 waterproof coat, 1 knitted sweater, 1 greatcoat, 3 shirts, 2 pairs of drawers, 6 pairs of socks, and 6 handkerchiefs (Radio-Paris, June 25, 1941).
- (4) By handing in old garments, twice as many as the customer is purchasing, and on condition that the old garments are capable of being repaired for distribution to poor persons by the "Secours National" (Order of March 20, 1941).
- (5) In special conditions laid down by the Secretary of State for Industrial Production.

We may note for information that a pair of cotton socks is worth 3 points, a man's shirt, or a pair of woollen socks or stockings, is 6 points, woollen combinations are 13 points (Radio-Paris, May 26, 1941).

Coal. The supply of coal to the population is paralysed both by insufficient production and lack of transport. Deliveries even in the occupied zone during the winter of 1940-41 came to only 30 per cent. of the average (*Le Temps*, January 12, 1941).

It will be remembered that the greater part of the coal came from the occupied zone, in fact from the Nord and the Pas de Calais, now attached for economic purposes to the German Kommandantur in Belgium; it appears that the mines there are working to full capacity; thus in reality there would seem to be no insufficiency of production, only insufficiency in the quantities left by the German authority for disposal. Be that as it may, when once the stocks had been exhausted, and such requirements met as cannot possibly be curtailed (the railways), there remained for public services (gas, electricity) and for private needs only about half of the indispensable amounts required (*Le Temps*, March 10, 1941). The lack of means of transport itself results from the lack of coal for the railways, and thus we find things in a vicious circle. We may note that measures have been taken to facilitate carriage by water (*Le Journal*, August 26 and October 11, 1940).

After a declaration of stocks over 500 kilos had been called for, from October 1940 a coal card was instituted which recognized five different classes of consumers.

Then by a decision of the controller (*Journal Officiel* of May 28, 1941) coal rationing was finally organized as follows:

A quota of solid mineral fuel is assigned to the prefect of each *département* for supplying public establishments, agriculture, small traders, small industries, and private houses.

With regard to private houses, in small communes the prefect gives authority for a collective supply. In communes of more

than 5000 inhabitants every head of a household receives a coal card with two distinct sets of coupons, for heating and cooking. The amount of the ration is fixed by the prefect on the instructions of the controller.

Electricity. The rationing of electric consumption is organized by prefects' orders.

In principle, by virtue of the law of December 18, 1940, and the order of April 11, 1941, a monthly maximum has been fixed for each consumer, for lighting as well as for power. The accepting of new consumers is subject to administrative authorization.

A more vigorous system is applied in the *départements* of Seine, Seine et Marne, Seine et Oise, Eure, and Calvados.

Gas. Consumption of butane gas for domestic use is prohibited since April 1941.

It will be noted incidentally that very drastic powers were given to the Secretary of State for Communications to alter conditions of production and distribution of gas in cities, notwithstanding any contrary contractual stipulations (Law of February 15, 1941).

By virtue of the decree of March 10, 1941, and with a view to adapting the consumption of gas to the possibilities of production, the prefect can cut down consumption. To this end he can fix a monthly maximum for each consumer, cut down the distribution of gas at certain hours, and prescribe a lowering of calorific content or of the pressure.

The requirements that must be given priority are those of industrial and commercial establishments whose work is indispensable for the general interest, and especially the needs of the public stations for distributing compressed gas for motor vehicles.

Linen. See above under "Clothing."

Motor-cars. The conditions for the allocation and disposal of motor vehicles are the subject of ministerial orders (Law of February 19, 1941).

What must be noted is that the almost complete disappearance of motor vehicles, thanks to the restrictions imposed on purchase, the regulations for travelling, and the rationing of petrol and tires, has resulted in a very great increase in cycling. This increase is shown by three small facts.

In Paris three hundred bicycle garages have had to be established in the sheds of the old Paris Public Transport Board (*Le Journal*, September 29, 1940).

The number of thefts of bicycles in the Paris region from June to October 1940 was over 22,000 (*Le Temps*, November 5, 1940).

The Highway Code has had to be recast. Among other clauses we should note that "cyclists must in principle ride in single file.

It is forbidden to let go of the handle-bars, to lift the feet from the pedals, etc." (Law of March 5, 1941).

Bicycles are subject to the following fixed prices: for a man's bicycle, 1300 and 1850 francs; for a lady's, 1400 and 1950 francs (Radio-Paris, June 7, 1941).

Paper. Since the beginning of the war paper rationing chiefly affected newspapers and periodicals.

Recent measures have prohibited the employment of paper for the manufacture of a wide range of articles, from bridge blocks to face towels for make up, from boxes of stationery to stands for beer glasses, from collectors' albums to cinema programmes and confetti (Radio-Paris, June 22, 1941).

Petrol. Independently of the restrictions on the movement of vehicles (see Section I, "Police"), petrol is severely rationed. The Government furthermore encourages, by all possible means, the search for and use of substitute fuels (see below, Chapter II).

Soap. With petrol, soap was the first commodity other than food that had to be rationed. The ration, at first fixed at 125 grammes monthly, was reduced in October 1940 to 100 grammes.

Until November 1, 1940 (Order published September 25), the only quality of soap authorized was that known as Marseilles soap. Two orders of November 3 re-established the sale of the various kinds of soap against coupons. (The sale of dentifrice soaps remained free.)

An order of February 17, 1941, laid it down that toilet soaps must not contain more than 20 per cent. of fatty and resinous acids, nor household soaps more than 30 per cent., lye more than 3 per cent., soap powders and shaving soaps more than 12 per cent.

Taking into account the various provisions in force, the ration allowed finally corresponds to the following quantities:

- (1) For personal hygiene: 1 cake of toilet soap of 100 grammes, or 1 cake of household soap of 75 grammes.
- (2) For washing clothes: 1 piece of household soap of 75 grammes, or 250 grammes of soap powder, or 1 kilogramme of lye.
- (3) For shaving (men over seventeen), every four months one stick of shaving soap of 50 grammes, or a tube of shaving cream of 80 grammes, or a tube of brushless shaving cream of 200 grammes.

At the end of June 1941 French consumers required official authorization to have parcels of soap sent them from abroad.

Tires. By virtue of the order of January 9, 1941, and the ruling of February 24, 1941, by the controller, owners of cars and motor-bicycles (already in possession of a permanent licence) must procure a 'tire-card'—this is subject to a declaration of the

number and condition of the tires possessed by the applicant, and to the checking of this declaration by an "approved vendor." The holder of a card who needs to purchase a new (or second-hand) tire to replace one that is unserviceable and impossible to have retreaded, must still provide himself with a 'buyer's permit' granted by the prefectorial authority from the quota of tires allotted to the *département*.

The same system has since been extended to tires and inner tubes of bicycles and motorized bicycles (Radio-Paris, August 26, 1941).

Tobacco. The scarcity of tobacco has continued to become more severe. To meet it in some degree, since the beginning of September 1940 the authorities reclassified and sold army tobaccos. At the beginning of October the sale of tobacco was prohibited in cafés, hotels, and restaurants.

As these measures were insufficient, in the middle of May the price of French tobacco was raised by 33 per cent., and the price of imported tobacco by 66 per cent. (Decree published on May 10, 1941).

Until recently the Government has denied that there was any question of instituting a tobacco card (Radio-Paris, May 1, 1941), but actually the sale to-day is limited to one packet of twenty cigarettes a day for each person, including women, but excluding minors of eighteen years of age (Radio-Paris, May 17, 1941). It appears that a system of rationing is to come into force presently, which will give three packets a month to each holder of a card.

Chapter II

THE MAXIMUM UTILIZATION OF PRODUCTS

I. General Elements of the Problem

THE system of rationing and restrictions studied in the preceding chapter has for its object the distribution of available commodities among consumers. It becomes stricter in proportion as the available goods become scarcer. These goods come normally from three sources:

- (1) From stocks.
- (2) From agricultural and industrial production.
- (3) From imports.

While stocks existing in June 1940 were, if we may believe the declarations of the Vichy Government, rather low, as much because of the insufficient provision made by previous Governments as by reason of the destruction caused by the war and the requisitioning by the enemy, they nevertheless allowed France to subsist for a certain time without too much distress. The stocks of wheat, in particular, provided food in the free zone for the millions of refugees from the occupied zone. In any event those stocks are to-day exhausted. Government action now consists essentially, on the one hand, in preventing the concealment of stocks by producers and private persons; on the other hand, in setting aside from the new production of agriculture and fisheries fresh stocks that can be used next winter.

Resources from imports are also very limited. Imports from Europe are confined to potatoes from Germany. Imports from outside Europe are cut off by the British blockade. The only external products that still reach France are those coming from Northern Africa and certain French colonies.

The only basic source that remains for our supply is therefore the agriculture and industry of the mother-country. The easing or, on the other hand, the tightening up of rationing is thus mainly dependent on French production. This explains why the Government has taken stringent measures (*a*) to increase production (see the sections on Agriculture and Planned Economy), and (*b*) to ensure the best possible utilization of all the nation's resources.

These last measures aim both at the systematic utilization of

certain secondary resources hitherto neglected, and at the recovery of certain wastes or used materials, and again at the replacing of rare commodities by others more common.

These measures do not fall within any logical framework and cannot form the subject of any methodical examination. We shall therefore confine ourselves to analysing the principal ones in alphabetical order.

Let us first note, however, that a Central Board of Scientific Research is working at the perfecting of substitute commodities (Laws published on December 30, 1940, and March 28, 1941).

Again, caution must be observed in making use of substitutes. Thus the Academy of Medicine had to issue a reminder that rhubarb leaves are highly poisonous, and must not be used for human consumption (Radio-Paris, June 14, 1941).

II. The Principal Products Concerned

Beech-trees. The collecting of beech nuts was increased for the production of edible oil (*Le Temps*, October 17, 1940), and then made compulsory with the same regulations for chestnuts (Law published May 30, 1941).

Cattle and Pigs. A law of October 8, 1940, made it compulsory for all slaughter-houses of some importance in the free zone to remove the pancreas of cattle and pigs, for the manufacture of insulin, previously produced only in the occupied zone (see also below, "Rennet").

Chestnuts. By virtue of a law published May 30, 1941, the gathering of chestnuts is made compulsory. If the owners fail in this duty the authorities will see to it, without compensation to the owners.

Clothing. Repairing of old clothes is compulsory—see above under "Rationing" (Order of March 20, 1941).

Coffee. We have shown in speaking of rationing that coffee must contain 190 grammes of substitute matter, in principle barley, in every 250 grammes of the blend.

Fish. Since September 1940 the livers of tunny and other fish must be removed, with a view to the extraction of vitamins.

Horse Chestnuts. The Secretary of State for Supply has prescribed the collection of horse chestnuts (*Le Journal*, October 3, 1940), which are used to make (1) a flour that can be mixed in cattle food, (2) oil, (3) liquid soap.

Mulberry-trees. The felling of mulberry-trees is in principle prohibited, and mulberry leaves must not be used otherwise than for rearing silkworms (Law of January 26, 1941).

Oaks. Barking of oak coppices is compulsory for tanning (Decree of February 8, 1941).

Again, the gathering of acorns for cattle food, originally simply recommended (*Le Temps*, October 17, 1940), has been made compulsory, like the gathering of chestnuts (Law published May 30, 1941).

Oils. The importance of oils is very great, as much for human food as for industry and transport and cattle-feeding (oil-cake).

Now France, which was a foremost producer of oil-yielding materials, has allowed this branch of production to fall away. Over a period of about a century the cultivation of colza has fallen from 200,000 hectares to 30,000, of flax from 250,000 to 20,000, of the oil-poppy from 25,000 to 1000. Along with Italy and Spain, France remains in the first rank of olive-growing, but olives cannot supply all requirements and their cultivation cannot be expanded rapidly. Two laws published on November 26, 1940, and two laws of December 31, 1940, nevertheless imposed regulations on the felling of olive-trees and the olive harvest, olive production and trade, and the work of the crushing-mills. A law published on May 24, 1941, instituted a system of bounties for olive-growing.

It was to make up for the stoppage of imports that the Government ordered the collection of beech nuts and horse chestnuts, and also the recovery of grape pips from the marc. But these measures remained very inadequate. From August 1940 the Secretary of State for Agriculture had exhorted farmers to devote themselves to growing colza and other oil-yielding plants, "which would prove profitable" (*Communiqué* of August 23, 1940). Not long after he gave orders that a new purchase of industrial oil could be made only on proving that the waste oil had been recovered to the extent of one kilogramme for every two and a half kilogrammes (Decree published September 19, 1940).

But it was a law of April 25, 1941 (*Arrêté d'application* published May 8, 1941), that really organized the control of vegetable oils. By virtue of this law a joint association of oil producers (olives, walnuts, rape, colza, mustard seed, hempseed, etc.) brought together growers, industrialists, users, and processers.

The law stipulates further that for a period of five years the price of colza seed, fixed by joint ministerial order, may not be less than the legal price of wheat multiplied by 1.75.

However, we must not be under any great illusion as to the effectiveness of this last measure; to satisfy the country's requirements of oils it would be necessary to put down a million hectares of good soil to colza and sacrifice a certain amount of other crops, particularly wheat and sugar-beet.

Paper. Compulsory recovery of waste paper had been organized from May 15, 1940, by a decree now abrogated. It is regulated to-day by the law of January 23, 1941, on the recovery of waste, and by an order of February 12, 1941 (see below under "Waste").

Petrol. The problem of petrol is the one that has most frequently exercised the public powers, as the scarcity of fuel is the fundamental cause of the transport crisis.

A decree published on September 28, 1940, granted advances for oil prospecting, but that is a very long-term measure, and other less distant solutions had to be sought.

Many satisfactory experiments were made in the use of gas generators employing wood, or more usually wood charcoal, and permissions have been given for the construction of 50,000 generators. But even the use of gas generators is limited by the lack of iron plate for their construction, and by the production of charcoal.

Many hundreds of motor-buses in Paris run on coal-gas.

The manufacture of electric vehicles with accumulators has been taken up again (Licorne).

Other experiments, more or less successful, have been tried for the use of acetylene, or a fuel with a calcium carbide basis (*Le Temps*, August 26, 1940), or a fuel from wood waste, bark, leaves, and potato haulms (*Le Temps*, January 28, 1941). The use of acetylene, however, has since been prohibited (Radio-Paris, July 8, 1941).

An exhibition of substitute motor fuels was held at Riom in February 1941.

The question has been well stated in a work with a preface by Belin, then Secretary of State for Industrial Production (*Shall we have Petrol Soon?*, published by Flammarion in January 1941).

The author concludes that by making use of all France's resources in petroleum, and all substitutes at the same time (he mentions shales, compressed gas, benzol, alcohol, gas generators), in two years "if all goes well," and at enormous cost, France will be able to produce or make substitutes for 100,000 tons of petrol a month to meet a normal consumption of twice that amount.

We should note that for the colonies it is anticipated that palm oil will take the place of petrol (Radio-Paris, May 17, 1941).

Rennet. The collecting of the rennet stomachs of calves, sucking lambs and kids for the needs of the dairy industry is compulsory (Law of April 18, 1941).

Saccharine. A decree of September 4, 1940, altered by a decree of April 11, 1941, in order to make up for the shortage of sugar authorized the use of saccharine in the manufacture of certain food

products: sparkling wines and liqueurs (except for export), confectionery, ice creams.

The substitution of saccharine for sugar must be shown on the label.

Soap. The Marseilles industry set up a research organization to discover a substitute for soap. It is not impossible that a solution of the problem may be found in the shape of a mixture of clay and carbonate of soda (*Le Journal*, August 26, 1940).

Soaps and soap substitutes intended for sale must be approved by the Secretary of State for Industrial Production, assisted for the purpose by the Central Laboratory of Chemical Industries (Order of February 18, 1941).

Vines. The universal provider *par excellence* seems to be the vine.

A law of August 20, 1940, ordered vine-growers, on the one hand, to preserve a portion of their must by mutage, and on the other hand, to collect the pips from the marc (*Arrêté d'application* for *épépinage*, February 3, 1941). Musts once concentrated serve for making preserves, grape-honey, and various sweet stuffs. The pips yield an oil. In reality, one hundred kilogrammes of grape marc barely produce, after a complicated treatment, a kilogramme and a half of oil, and this oil, which is very acid, is not edible, but can be used for making soap, paints, and varnish (*Le Journal*, October 7, 1940).

The law of August 20, 1940, not having been completely put into execution, at least with regard to muted musts, a law published on May 24, 1941, was needed to order vine-growers within one month to deliver to the Supply Department a quantity of wine corresponding to the quantity of must they should have kept. If delivery is delayed they are liable to a fine of 50 centimes for each day's delay and for every hundred litres.

A law of April 30, 1941, finally prohibited the destruction of vine shoots, which are employed for various household and industrial uses (wood charcoal).

In the middle of April 1941 the measures adopted had already allowed of the manufacture of 52,000 tons of grape sugar and a saving of 25,000 tons in wood charcoal (Statement by the Secretary of State for Agriculture, April 24, 1941).

Wastes. Destruction of waste and old material is prohibited by the law of January 23, 1941 (altered by a law published on August 21, 1941), which provides a list (which may be supplemented by ministerial order): rags, old iron and other metals, old papers, feathers, rubber, bones, skins and leather, horse hair, animal hair and fur, glass, etc.

Every private person, firm, or establishment holding any

quantity of these is bound to surrender it, or to deliver it to one of the collectors or dealers in waste registered at the central section of the Central Office of the Allocation of Industrial Products. Buying prices are fixed by ministerial orders.

Stringent penalties are inflicted for disregard of these regulations. With special reference to paper, an order of February 12, 1941, laid down detailed regulations for its recovery. It may be noted that the State departments must deliver their old papers to the Public Property Office, which then sells them to dealers who sort and dispose of them.

Wool. The use of wool is prohibited for all luxury products, and especially for garments.

Excellent cloths, it appears, are made of wood fibre to take the place of woollen cloth (*Le Journal*, December 3, 1940).

Chapter III

PRICE REGULATION AND CONTROL

THE regulation of prices operates for almost all commodities (including those consumed in restaurants) and for rents. The department of price control is under the Secretary of State for National Economy and Finance, which is logical enough, since the essential object of this control is to maintain the purchasing power of money.

Alongside it there functions a department of the supply control under the Secretary of State for Supply.

I. Controls Concerned with Commodities

1. CONTROL OF PRICES

The countless laws and decrees dealing with questions of price were taken up again, modified and supplemented by a law of October 21, 1940, which constitutes a veritable charter (further modified on various occasions, and particularly by the law published on April 30, 1941). The first clauses relate to the fixing and publication of prices. Decisions with regard to prices are taken after consultation with the Central Price Committee or the committees in the *départements*, by joint ministerial orders, orders of the Secretary of State for Finance, or prefects' orders: the powers of the prefects extend to agricultural products and foodstuffs sold in the local markets and in the shops. Regional Price Committees were created by a law published on June 30, 1941, to assist the regional prefects. These clauses apply neither to the markets for wheat, sugar, and wine, nor to the National Society of French Railways.

The control of prices is effected by a Central Department and departments for each region and each *département*, with the assistance of the excise and customs officers, the gendarmerie and the police (Decree published May 17, 1941). It would appear to employ about 2000 officials (*Rheinisch-Westfälische Zeitung*, May 18, 1941).

Subject to special exceptions, prices must in principle remain pegged to the figures of September 1, 1939; any increases must be expressly authorized.

The display of prices on posters and labels is regulated to the smallest detail, as well as the particulars to be entered in invoices, and on this point the organic text was strengthened by a law published on March 29, 1941.

Illicit increases in prices are punished by fines of from 16 to 10,000 francs, and terms of imprisonment of from two months to two years. The courts may besides prohibit the offender from exercising his trade, either temporarily or permanently. When the prohibition extends for more than two years the court orders the stock to be sold by auction.

Illicit price-raising consists in:

- (1) Selling or offering for sale, buying or offering to buy, at prices above those fixed or authorized.
- (2) Maintaining the price of goods or services, the quality or quantity of which has been lowered.
- (3) Building up stocks of goods by refusing to satisfy the demands of customers.
- (4) Making the sale of certain goods conditional on the purchase of others.
- (5) Limiting the sale of certain products to certain hours of the day.

Taxation has been progressively extended to the majority of foodstuffs and commodities of prime necessity. It falls even on the price of cups of coffee in bars, of bedrooms in hotels, of meals in restaurant cars.

From retail sales it has been taken up every rung in the ladder as far as the original producer. Thus, having taxed the meat, the Government put a tax on the cattle, then on cattle foods. Prices of production are in principle fixed by the Secretary of State for National Economy and Finance, unless he delegates this power to the Secretary of State for Supply, as he did for example in the case of fruit and fresh vegetables (Law of May 17, 1941).

An official bulletin of the Department of Prices appears every Friday.

The Secretary of State for Supply has insisted that the "farming order" must bow to this discipline, promising, we must add, to spare it "red tape" and to ensure that its prices will give normal remuneration to family labour (September 30, 1940).

The system for putting down illicit rises in prices and the cornering of stocks has three branches: disciplinary action; ordinary prosecution; prosecution before the Court Martial or the special Criminal Court.

Disciplinary action is taken by the bodies charged with the control of production and allocation (corporative unions, offices of distribution, organizing committees, etc.). It may result in

penalties going as far as the withdrawal of an offender's trade permit—that is to say, the impossibility of his exercising his trade, either for a time or permanently.

Prosecutions before a court of summary jurisdiction and those before the Court Martial or the special Criminal Court are of the same kind. When the Court Martial was created the Government had insisted on the fact that it was for the public prosecutor and itself to decide between common law proceedings and the extraordinary proceedings.

Ordinary offences will be dealt with by simple prosecution. The Court Martial will supplement this proceeding on each occasion when it may be necessary to point with special emphasis to abuses or schemes the Government is determined to stamp out (Statement to the Press by the Secretary of State for Supply, September 30, 1940).

Summary prosecutions entail penalties of imprisonment or fines, both of which have been greatly increased, and the possible closing of the establishments involved. In such cases of closed businesses the offender must continue to pay all salaries and allowances to his employees.

Common law jurisdictions may at any point in the proceedings hand the case over to the Criminal Court. Prosecutions before the Court Martial or the Criminal Court may, at any rate in theory, lead to the death penalty.

Infringements of the regulations entail reports drawn up by the officers of the control, who can enforce the production of all necessary documents. A department of economic police has also been established in the Secretariate of State for the Interior; between November 1, 1940, and March 1, 1941, not less than a thousand reports were drawn up (*Le Temps*, March 6, 1941). Any person who observes an infringement may send a complaint to the Sub-Prefect or to the Prefect. Offences are in principle subjected to examination by a committee for the *département*.

A law published on July 1, 1941, laid down that individuals whose conduct is such as to be detrimental to the policy of prices or supply may be subjected to administrative internment by the Secretary of State for the Interior at the proposal of the Secretary of State for National Economy or the Secretary of Supply.

It should be noted that a decree of January 11, 1941 (altered by decree on April 28, 1941), permits the Department of Price Control to arrange for "a compromise."

Furthermore, a law published on April 25, 1941 (*Reglementation d'administration publique* published on April 29, 1941), extended to certain offences the system of an immediate fine levied by the official taking cognizance of the case. This payment, which is

optional, has the effect of suspending prosecution provided no further offence is committed within a year.

A law published on June 28, 1941, increased the penalties attached to thefts "of crops or other valuable products of the soil in fields and gardens"—that is to say, to pilfering and raiding, and abolished the previous distinction between fruit still on the tree and fruit already plucked or fallen.

2. SUPPLY CONTROL

Parallel with the control of prices there is a supply control at work, under the Secretary of State for Supply, which was organized by the law of January 25, 1941 (altered by the law of March 23, 1941).

District heads and controllers have the task of detecting offences against the regulations relating to:

- (1) Occupational organization, so far as it concerns supply.
- (2) Circulation and allocation.
- (3) Rationing, and in particular to food cards.
- (4) Stocks, and to the disposal of produce and foodstuffs.

They have the most extensive powers of investigation, upheld by penalties of imprisonment and fines that may be as much as 100,000 francs.

The allocation offices can request the Secretary of State for Supply to approve and commission special inspectors to perform similar duties under similar conditions.

Frauds with respect to the use of food cards are subjected to heavy penalties by a law published on July 31, 1941.

3. EQUALIZATION OF PRICES

By virtue of a law of March 28, 1941, the Secretary of State for Supply can create funds for the equalization of prices, managed by the groups importing the commodities concerned.

The function of these funds is to reduce considerable differences in price between commodities of the same quality but of different origin. The control of these organizations is under the Secretaries of State for Supply and for National Economy.

By virtue of this text funds have been created for grape-musts (July 31, 1941) and for products derived from petroleum (July 25, 1941).

II. Rent Regulation

A law of February 28, 1941, by a general measure prohibited all increases of rent for living or commercial accommodation, except in cases where the landlord has incurred expenditure for the direct benefit of the tenant.

Various measures had preceded this law. Thus a decree of July 7, 1940, had provided a moratorium for all rents then due until November 1; had reduced by three-quarters the rents of mobilized soldiers and prisoners, with a postponement of payment expiring six months after final release; and had similarly reduced the rents of refugees whose houses were in a prohibited zone. A law of November 25, 1940, provided for amicable or legal reductions for refugees whose furniture had remained in rented houses in the occupied zone. A law of February 26, 1941, provided terms of payment for working-class rents.

A law of July 16, 1940 (altered in August), again, permitted the cancellation of tenancies contracted in the free zone by refugees subsequently repatriated.

Finally we must note that a new law will presently take certain measures in favour of war widows, demobilized soldiers, refugees, and shopkeepers. It will also postpone certain graduated increases, and will contain clauses tending to facilitate the upkeep and improvement of house property.

CONCLUSION

WE have given a plain and objective analysis of the legislative work of Marshal Pétain and his Government.

Can we form a final judgment on this work without the perspective of time? It contains excellent things that will deserve to be retained, particularly with regard to the protection of the family. In other points it answers to ideas excellent in themselves and only faulty in the application. Where political considerations did not have to be brought into play it cannot be doubted that desirable reforms have been effected or attempted.

And furthermore, it must be said that France felt an undeniable need for a renewal. The institutions existing in June 1940 were no longer adapted to actual conditions; and indeed they had nothing truly democratic about them but their outward appearance, the mere shell. It was absolutely essential therefore to begin again from zero and build completely anew.

But it is in this work of renovation that Marshal Pétain has failed. And he has failed because his work as a whole is dominated by considerations of foreign policy and home policy that are in conflict with the opinions and wishes of practically the whole united nation. The French do not accept collaboration with Germany; neither do they accept the increasingly grave inroads upon their liberties.

The failure is complete, both from the point of view of the results of the policy of collaboration and from that of the results of internal policy. We shall proceed to make a brief summary of these results.

Chapter I

THE FAILURE OF THE POLICY OF COLLABORATION

WE have already shown how the policy of collaboration between the men of Vichy and the Reich developed. We saw that this policy had been justified by its promoters as the only one that could win for France some alleviation of the hardships of the armistice and of her defeat, and allow her to share in the building of a new European order.

In the practical sphere this policy ought to have brought about:

1. The freeing of the occupied zone.
2. The disappearance of the line of demarcation.
3. The liberation of the prisoners.
4. The reduction of the war indemnity.
5. An economic recovery.

Let us briefly check up on the results actually achieved.

I. The Freeing of the Occupied Zone

From the very outset the Vichy Government strove to obtain, on the one hand, permission to transfer its seat to Paris, and on the other, the freeing of part of the occupied territory, or at the least some modification of the line of demarcation.

i. THE SEAT OF THE GOVERNMENT

It will be recalled that Article 3 of the Franco-German Armistice Convention laid down that the French Government was free to transfer its seat to the occupied zone, and in particular to Paris, and that the Reich in that case would provide all the necessary facilities.

Already in his message of July 11, 1940, Marshal Pétain informed the country that "in order the more easily to deal with certain questions the settlement of which is urgent, the Government proposes to establish itself in the occupied territories," and that he had "with this in view, requested the German Government to restore freedom to Versailles and the quarter of the Ministries in Paris."

This request was to meet with systematic refusal from the

Government of the Reich, which intended to exploit the position for blackmail. The return to Paris was continually promised, but never materialized.

On August 13, 1940, Marshal Pétain once more declared:

Paris, the heart and the brain of the Nation, the crucible in which from time immemorial the destinies of our country wrought themselves out, remains in the eyes of the French the natural seat of government authority. Ever since the armistice came into force my Government has done its utmost to obtain from the German Government permission to return to Paris and Versailles. . . . We must continue to wait, but I think I can assure you it is now only a matter of time.

On August 12, 1941, or a year later almost to the day, Marshal Pétain was forced to say:

France can only be really governed from Paris. I cannot return to Paris as yet, and I shall return only when certain possibilities have been offered to me. . . .

At the beginning of 1942 the position is unchanged.

2. LIBERATION OF OUR TERRITORY

At the end of January 1942 the Vichy Government had not yet secured the liberation of any portion of the occupied territory. The Reich has not even consented to make rectifications of the line of demarcation that without involving any principle would have simplified the task of administration. The only rectification that has been granted is concerned with those parts of Haute-Savoie that lie on the left bank of the Rhône, which have been transferred from the occupied zone to the free zone (*Le Journal*, August 28, 1941).

To tell the truth, the freeing of a part of our territory seems bound up with the signing of economic agreements allowing the Reich to employ industrial plants in the free zone under the same conditions as those in the occupied zone. It therefore implies complete economic collaboration.

Certain communes remain cut in two by the line of demarcation. The jurisdictions of many courts are similarly divided. Municipal administration and the administration of justice suffer very greatly from this state of things.

It seems that one of the results of the Hitler-Darlan agreements ought to be a reduction of the occupied zone. But no definite information has so far been made public on this point.

II. The Easing of the Line of Demarcation

We have already noted the serious difficulties resulting from the rigid line of demarcation. For a long time neither travellers, nor postal packets, nor goods were allowed to pass from one zone to the other.

In this matter Admiral Darlan has obtained substantial concessions. Henceforth goods, except gold and foreign currency, may move more easily. The exchange of non-pictorial postcards is allowed. But travellers are not permitted except in certain cases (see Part II, Section I, "Police").

Actually the line of demarcation continues to play the part of an internal frontier. And this is a serious matter, especially from the point of view of the country's supplies.

We have already shown that exchange of agricultural or food produce between the two zones was a vital necessity for France.

There is no doubt that since the early part of 1941 a barter agreement on this matter had been in existence between the Vichy Government and the Reich. The disclosure of this fact caused the breaking off of negotiations with the United States and Great Britain with regard to the blockade. It is, however, difficult to discover the actual terms.

The existence of that agreement became known from a statement by Achard, the Secretary of State for Supply, on March 24, 1941. According to the Vichy Press, the Minister appears to have denied the rumours that were current about the sending of a million quintals of wheat from the free zone to the occupied zone, and to have declared that, on the contrary, the occupied zone was sending wheat across into the free zone. On March 25 the Paris Press indicated that the barter agreement provided for the sending from the occupied zone to the free zone, of

8,000,000	quintals of wheat,
8,000,000	,, , potatoes,
2,000,000	,, , sugar,
1,000,000	,, , bran;

and from the free zone to the occupied zone, of

190,000	head of heavy cattle,
565,000	,, , small live stock,
600,000	,, , pigs and calves,
360,000	quintals of edible oils,
600,000	,, , fresh vegetables,
80,000	,, , cheese,
17,000,000	hectolitres of wine.

These exchanges would represent a value of 13 milliards of

francs, corresponding fairly closely, if we believe the *Nouveaux Temps* of February 15, 1941, to the annual exchanges of food produce between the areas corresponding to-day to the occupied and free zones respectively.

The figures quoted above were given again by Radio-Lyon (in the free zone) on March 27, but as emanating from Paris.

Nevertheless, Achard has since declared to the American journalists that these figures belonged to a scheme dating from October 1940, and that in reality during the first six months of 1941 the free zone would receive only 2,400,000 quintals of wheat at the rate of 400,000 a month. He added that in spite of the import of 1,250,000 quintals from Northern Africa, the unoccupied zone still needed 4,900,000 quintals to carry it on till the 1941 harvest (Radio-Lyon, March 29, 1941).

However that may be, it must be recognized that during these last few months the demarcation line has been made substantially less rigid.

III. The Liberation of the Prisoners

The anticipated liberation of the prisoners of war is one of the chief justifications of the policy of collaboration, and the one constantly referred to in speech or writing by the men of Vichy. It is the sentimental argument that is always brought heavily into action with all who mourn the absence of a beloved relative or friend.

And furthermore, the absence of the prisoners is a certain handicap upon the working of the national economy. Marshal Pétain recognized this once again, on August 12, 1941:

The shortage of men is due above all to the absence of the prisoners. As long as more than a million Frenchmen, including the young and vigorous elements of the nation, the better part of its very flower, remain outside the country's activities, it will be difficult to build a new and enduring edifice. Their return will enable us to fill the great void we are now suffering from. Their spirit, strengthened by the life of the camps, matured by long reflection, will become the best cement of the National Revolution.

Until the Hitler-Darlan agreements, the results obtained by the Vichy Government with reference to the return of the prisoners were far from brilliant.

The Germans, in fact, can only free prisoners that are not already usefully employed by themselves, or when they are certain that they will not enable France one day to resume the fight against them. Hence at the outset they confined themselves to setting free the seriously wounded, members of hospital units, and a

number of generals essential to the policy of collaboration. Leave had indeed been granted to a limited number of agricultural workers, but only in the occupied zone.

One of the results of the Hitler-Darlan agreements of May 7, 1941, was the liberation of men of the oldest classes who had already served in the previous war, and fathers of families with four children.

Shortly after the liberation of some ten thousand sailors was announced, and then that of:

- (1) all prisoners belonging to metropolitan France who were on French soil;
- (2) officers of the reserve who were veterans of the 1914-18 war;
- (3) prisoners born before July 1, 1900, except soldiers by profession;
- (4) a thousand officials of the P.T.T.—the Post Office services (Radio-Press, July 4, 1941).

It should be noted that many generals or admirals have been freed to take up high administrative posts in France. Similarly other prisoners have been set at liberty who, like Benoist-Méchin, could render service to the cause of Hitler in France.

Lastly, after the Darlan-Ciano agreement at Turin, the small number of French prisoners in Italian hands were set free, less than two hundred in all.

IV. Reduction of the War Indemnity

In this respect the results so far are nil.

While the Vichy Government had allowed it to be announced in every newspaper in May 1941 that the indemnity was about to be reduced from four hundred million francs a day to three hundred, it was learned soon after that on the contrary there was indeed a question of reducing the nominal amount of the indemnity, but that it would then be made payable in gold or foreign currency, which would only have made the burden heavier.

To-day the question seems to be completely hung up.

V. Economic Recovery

But it must be said that for Marshal Pétain's Government the essential aim of the policy of collaboration was to secure the reabsorption of the unemployed by the resumption of the country's industrial activity.

The problem of unemployment is one of the most difficult and

exasperating that the Vichy Government have to face. Independently of the burden that is laid upon the budget by unemployment allowances—which in view of the prevailing inflation is only a secondary consideration—unemployment creates hotbeds of discontent and disturbance that could not be allowed to continue without endangering the very existence of the régime.

Now the reabsorption of the unemployed implies—except for artificial measures which we have dealt with in their place—the resumption of industry. And the restarting of industry itself presupposes

- (a) the procuring of fuel,
- (b) the procuring of raw materials,
- (c) the procuring of means of transport.

Except for hydro-electrical energy, the other sources of power employed by industry, the solid or liquid fuels, are in the hands of Germany. The coal mines of the Nord and the Pas-de-Calais are actually under the military occupation authorities in Belgium, and the whole European production of oil is controlled by the Reich.

As for iron, which was the principal raw material used by French industry, the mines are in the prohibited zone of the East. And since the blockade prevents the entry of all other industrial raw materials, the Reich alone can supply France.

And lastly, the paralysis or the functioning of all means of transport is a matter of the good will of the Reich, which has requisitioned the greatest part of all railway and road material, and has all the fuel in its power.

However the problem may be looked at, the resumption of French industrial activity thus depends solely on Franco-German agreements. Now in this matter the Reich has a very definite policy.

I. THE POSITION OF THE REICH

The Germans, who know that this war is above all else a war of material, have never hesitated to subordinate everything to the economic problem. The most typical example of their organization in this respect is given by the fact that during the military operations in France they had attached to each headquarters staff a specialist in economic matters with the express duty to "prevent the destruction of industrial plant capable of subsequent use by the Reich."

There is therefore no reason to be surprised by the strong economic administration installed alongside the German Military

High Command in the occupied zone. The *Wehrwirtschaft und Wirtschaftssab Frankreich* is assisted by armament inspectors (*Rustungsinspektioner*) and by economic committees (*Wirtschaftstroops*). This administration immediately took in hand the problem of the utilization by the Reich of the industrial resources of the occupied zone.

From the very beginning of the occupation the Reich paid great attention, for strategic as much as for economic reasons, to the restoration of the railway and road systems of the occupied zone. German engineer units helped in this reconstruction, which explains the speed with which it was carried out. At the same time it has restarted factories like the Citroën or the Renault Works that could supply the wheeled material essential for its many motorized formations. And again it has fostered the building of locomotives for its advantage; the *Compagnie générale pour la Construction des Locomotives* has had its capital increased from twelve million francs to fifty (Radio-Paris, May 1, 1941).

It seems that the fear of sabotage at first made the Reich avoid direct production of war materials in the French factories, and hence the transfer to Germany on the one hand of French workmen, and on the other hand of machinery seized in the French factories. In spite of very active propaganda the number of French workmen in Germany has always been very small. Doctor Syrup, the German Secretary of State at the Ministry of Labour, estimated them in August 1941 at 25,000 (*Le Temps*, August 27, 1941).

Then later, as its authority became stronger and its facilities for control increased, the Reich began to make the factories in the occupied zone work direct on the manufacture of tanks, guns, air-frames, aeroplane engines, and on the repair of war material.

But these were only temporary measures. What the Reich has in mind is: on the one hand to make the whole of French production work for German military requirements during the period of hostilities; and on the other hand to bring the economic organization of France definitely and finally under the control of Germany.

Doctor Gerstner, of the Economic Section of the German Embassy, has declared that French industry, a great part of which was already working for the Reich, would be revitalized by Germany. This co-operation must be continued after the war, for it will be to the advantage of French industry. It will foster French agriculture to an even greater extent, for it has an important part to play by enabling Europe to be self-supporting from the point of view of food. Already the organization of trade and industry has been recast, but more far-reaching changes will have to be made in the economic structure of France. France must understand that German reorganization of her economy is as

much to her advantage as to Germany's (*Pariser Zeitung*, March 31, 1941).

In the following extracts from German newspapers, reproduced here without comment, we find new proofs of the idea that German help is only to be granted to enterprises that work for Germany, and proofs of the domination of Germany over the economic position of France.

The direction of the armament industry in France is naturally at the service of the army, with the object of reinforcing the industrial power of Germany. . . . Many hundreds of French firms have already received orders (*Berliner Lokal Anzeiger*, November 7, 1940).

The German economic general staff brings to an economic system that had become lax and careless the German spirit of organization and order. . . . The Central Office for the Allocation of Industrial Products, a French organization created by the German political authorities, must make French industry work in the interests of Germany (*Deutsche Allgemeine Zeitung*, March 29, 1941).

It was necessary to create a central organization for French forestry, in order to have a partner responsible to the German administration. Only then was it possible to secure an output of 150 per cent. (*Ibid.*, April 8, 1941).

We must therefore be under no sort of illusion. The Reich will only help French industry in so far as she has need of it, or in so far as France, in return for that help, will supply her with the goods she requires.

2. COLLABORATION

In accordance with the views just put forward, all agreements hitherto arrived at between France and the Reich have been directed towards supplying raw materials to the industries capable of providing Germany with finished products.

The first agreement appears to have been concluded in December 1940, but it was not published until February 1941. It concerns the artificial silk industry. It was a cartel, "France Rayonne," comprising a score of firms, which made this agreement with a German group that provided a third of its capital and a body of experts. Until it has been possible to establish a cellulose fibre manufactory in the unoccupied zone, the textile raw material will be provided by Germany (*Pariser Zeitung*, February 26, 1941).

Agreements followed in January 1941 with regard to the industries of porcelain, optical glass, pottery, and sanitary earthenware (*Le Temps*, February 2, 1941).

From February 20 to February 22 there was a joint sitting of the Office of the Reich for the Control of Raw Materials and the

French officials in charge of allocation. Commissions were set up for coal, iron and steel, metals, mineral oils, chemical products, etc. . . . (*Bulletin d'Informations de la Vice-Présidence du Conseil*, No. 26).

An agreement with regard to the metallurgical industry would enable the factories to receive 35 per cent. of the pre-war supplies of iron, 40 per cent. of this being allocated to heavy industry and 60 per cent. to light industries (Statement by the Secretary-General for Production, *Le Temps*, March 17, 1941).

Other agreements were to allow German insurance companies to take the place of English (*Pariser Zeitung*, March 21, 1941). Hence in particular an order published on July 9, 1941, authorized a German company to carry out motor-car insurance. Similarly we may note an order published on August 22, 1941, relating to insurance of transport against war risks.

But prior to the Hitler-Darlan negotiations the most important agreement seems to have been the Franco-German-Italian agreement with regard to the motor industry. The details of this threefold collaboration were to be established in the course of meetings in Berlin at which France was to have the same number of delegates as Italy and Germany (Statements of the Delegate-General for National Equipment, Radio-Paris, May 5, 1941). It seems, however, to have been decided already that French industry must specialize in the manufacture of four types of one-ton and four-and-a-half-ton lorries (official German News Agency, *Le Temps*, March 22, 1941).

Be that as it may, if the Simca factories were still on May 1 employing only 400 workers, for a long time already the Citroën and the Renault Works had been turning out lorries for Germany. From the most varied sources we learn that the motor-car factories in the occupied zone are to-day making air-frames and motors for aeroplanes, guns, and tanks. German submarines are repaired in French harbours. Even in the free zone factories are turning out separate parts for aeroplanes and cars, and munitions.

We should note that from April 1 to May 15 unoccupied France appears to have delivered to Germany 10,000 tons of aluminium, 8000 tons of magnesium, 38,000 tons of bauxite, 30,000 tons of wool, and 60,000 tons of fruit.

It must further be noted that the transfer of the metallurgical industry of Lorraine to Germany is to-day complete. According to the Paris *Jour-Echo* of August 6, 1941, the following firms in particular have passed into German control:

Aciéries de Rombas (Friedrich Flick A.G., Berlin),
Hauts Fourneaux et Aciéries de Thionville (Consortium Koechling),

Forges et Aciéries du Nord et de Lorraine (Neunkirchen Eisenwerk A.G.),

Union des consommateurs de produits métallurgiques et des Hauts Fourneaux de Wendel (Consortium Hermann Goering),

Société Hau (Vereinigte Stahlwerk A.G., Düsseldorf).

3. UNREAL SIGNS OF RECOVERY

The industrial collaboration of France with the Reich is therefore beyond dispute. It has been extolled on every occasion. The Lyons Fair, the Conference of French and German Chambers of Commerce, and the Paris Fair were among the most important of these occasions.

Has it brought about the economic recovery that was hoped for?

The Vichy leaders flatter themselves that it has, and in support of their claim they make great play with statistics as to the absorption of unemployment, the prosperity of trade, and the rise in the price of securities. In point of fact these indications of recovery are completely artificial, and this is easily verified.

The official absorption of unemployment depends above all on what we might call games of statistics. The prosperity of trade and the rise in share values are merely the result of the depreciation of money.

(i) *Absorption of Unemployment.* Official statistics show a very considerable improvement in the position of the labour market. We are presented with the following figures:

	NUMBER OF UNEMPLOYED (IN THOUSANDS) ON			
	19.10.40	4.1.41	28.6.41	29.11.41
Seine . . .	538	414	179	97
Occupied zone outside Seine . . .	418	225	96	59
Free zone . . .	103	73	60	46
Totals . . .	1059	712	335	202

These figures have only a very relative value, because:

- (1) Their authenticity cannot be vouched for.
- (2) Foreigners are not included.
- (3) 1,500,000 men are prisoners.
- (4) Many young men are with the colours or in the youth camps.

- (5) The old age pension scheme has effected a sham transformation of many 'unemployed' into 'pensioners.'
- (6) Partially unemployed are not included. Actually in June 1941 the weekly hours of employment averaged 28 in the textile industry and 36 in the factories of the occupied zone which were used by the enemy.

And furthermore, the reduction of unemployment in the occupied zone merely reflects the restarting of the factories that are working for the Reich.

(ii) *Prosperity of Trade.* According to all the information that reaches us, commercial affairs are for the most part enjoying a period of great prosperity, and especially luxury trades (furs, jewellery, dressmaking, etc.).

This situation, which is purely momentary, is readily explained by several considerations:

- (1) The official expenditures of the army of occupation.
- (2) The purchases of the officers and men of the German Army, who profit by an exchange rate of 20 francs to the Reichsmark.
- (3) The rush among French people to buy all unrationed goods rather than keep paper money.

But if traders seem in this way to make large profits on the sale of their stocks, they are only receiving worthless paper and cannot renew the stocks. This restocking, when it becomes possible, will be done at substantially higher prices.

(iii) *Rise in Share Values.* The rise in share values is also illusory.

It arises not from the more favourable business or industrial outlook, but from the plethora of paper money and the desire of the French public to get rid of it at any price. A share, however poor it may be, still represents all the material elements of an asset, while the franc, which can no longer be sold in the foreign exchange market, now represents nothing at all.

We must add also that besides the French buyers of shares there are foreign buyers. Thanks to the war indemnity, the Reich is buying, either direct or through nominees, without cost to itself, large quantities of shares which are bringing under its control the whole economic activity of France.

And furthermore, the rise in stock exchange values is a general phenomenon. In all countries that are either belligerents or affected by the war the same rise in share prices and drop in rates of interest have taken place.

Chapter II

THE AGGRAVATION OF THE INTERNAL SITUATION

If the policy of collaboration is an absolute failure as far as visible results for France is concerned, the internal policy of the Vichy Government is little by little leading the country to a final catastrophe.

Three tangible facts—beyond any discussion—sum up the present situation. These are:

- (a) The deteriorated position with regard to supplies.
- (b) The rise in prices.
- (c) The alienation of public opinion.

I. The State of Supplies

In order to realize the present position with regard to supplies, we may suitably refer to the official or semi-official statements of March 1941, and then examine the subsequent developments of the problem.

It is interesting, however, to note first of all some points relating to one of the essential causes of the crisis in supply, namely the concealment of stocks, the other essential cause being the insufficiency of both production and imports.

It is equally interesting to point out the first consequence of this crisis, which was the rise of the ‘black market.’

Against the concealment of stocks, as against the ‘black market,’ the Vichy Government multiplies threats and repressive measures all in vain. All their efforts remain ineffective.

i. CONCEALMENT OF STOCKS

Already on September 20, 1940, the Secretary of State for Agriculture issued an appeal to the farmers to increase production: “If production is not increased,” he declared, “the rations will be reduced to a point at which the general health and, in particular, the growth of the children will be endangered.”

On January 4, 1941, as the situation had not improved, the Secretary of State for Supply in turn appealed to the peasants and asked them not to create a scarcity in their produce “out of a spirit

of vindictiveness" against the townspeople, and declared that if the regulations and fixing of prices were not taken in the right spirit by the farmers, the winter of 1941-42 would be infinitely harder than that of 1940-41.

These appeals were of no effect, and at one moment the Government was obliged to issue new ones to the good will of the farmers, to grant them new periods of respite, and to shut their eyes to certain infringements of regulations; at another moment it had to resort to measures of coercion. Thus all the penalties for failure to declare stocks of potatoes were suspended, and a law published on May 24, 1941, made certain modifications in the law of August 20, 1940, on the holding up of muted musts, where it dealt with refractory wine-growers. Extra rations of butter were promised to milk producers (*La Garonne*, April 4 and 25, 1941). An *arrêté* published on June 7, 1941, authorized pig-breeders to use a part of their own products for family consumption.

According to the *New York Times* (March 18, 1941), the concessions made by the Government are due to the gravity of the situation, and to the fact that the farmers would prefer to hoard food or give milk to the pigs rather than sell at the prices fixed.

But now it is the measures of coercion that have taken precedence over the others.

The farmers can now be forced to confine themselves to certain crops, and stocks can be requisitioned and seized by cantonal organizations.

2. THE POSITION AT THE END OF MARCH 1941

In order to weigh up the situation of France after the second winter of war, we are fortunate enough to have two comparatively definite documents—a semi-official statement (*Le Temps*, March 19, 1941) and a declaration by the Secretary of State for Supply (March 24, 1941). And we shall rely on these two documents for the notes that follow.

On account of the severe frosts of the winter of 1939-40, and the delay in harvesting due to the shortage of men and of horses, the wheat crop of 1940 was disastrous; it did not amount to more than 43 million quintals as against an average of 78 millions. To meet the requirements of the free zone it would have been necessary to bring in 11 million quintals from the occupied zone or to have recourse to imports, which was impossible owing to the blockade. Actually, since March the occupied zone is sending 10,000 to 15,000 quintals a day into the free zone.

The deficit in secondary cereals amounted to ten million quintals,

and the deficit in imported maize and rice to twenty million quintals.

The potato crop showed a deficit of more than 50 per cent. Nevertheless, the potatoes were dug up prematurely in July 1940, thus not merely endangering the future food of both men and beasts, but also depriving the country of the necessary seed potatoes. And again, instead of the usual 800,000 quintals of imported seed potatoes it was impossible to import more than 500,000. The position here is definitely catastrophic.

The production of milk, butter, and cheese shows a deficit of 25 per cent., while the deficit for meat is more than 30 per cent. This is due to the fact that in consequence of the shortage of rye (now being used for bread-making), barley (employed as a coffee substitute and for bread-making), of swede turnips and Jerusalem artichokes (used for human consumption), of oil-cake and of fodder, cattle-breeding has had to be reduced or stopped. As for milk production, the lack of transport for collection adds another to all these hindrances.

Shortage of grain has very greatly reduced the breeding of poultry and, as a natural consequence, the production of eggs.

In spite of all the measures adopted to fight against the 'black market,' and in spite of the regional economic organization intended to abolish the faults of the self-sufficiency of the *départements*, the next agricultural season can only increase the difficulties of France.

Agricultural production must find itself paralysed by the dearth of teams and the lack of labour, the lack of fertilizers (430,000 tons of nitrates instead of a million, and 250,000 tons of phosphates instead of 2,500,000 (*Le Temps*, April 1, 1941)) and of copper sulphate. "Thus the task of supplying our country," concluded the statement, "can only be viewed with feelings of distress, for the imports that should have helped the population to exist—meat from the Argentine, coffee from Brazil, oils and produce from the colonies—are all cut off by the blockade."

And again, insufficient production cannot be made up from existing stocks. If we are to believe the Secretary of State for Supply, on April 1, 1940, France had in store only 58,000 tons of rice (out of an annual import of 700,000 tons), 24,000 tons of barley (out of 200,000), 3000 tons of maize (out of 700,000), 76,000 tons of oil-cake (out of 700,000), 57,800 tons of oils and fats (out of 570,000). Altogether—excluding wheat and sugar—the stocks represented about one month's consumption, and a great part of them disappeared through the ravages of war, looting, and—but this the Minister omitted—German requisitioning.

3. SPRING AND SUMMER 1941

A month later the position was unchanged. The Secretary of State for Agriculture (at Limoges, April 23, 1941) declared that in spite of restrictions it was becoming more and more difficult to satisfy the requirements of consumption. He stated in particular that the poor crops of secondary cereals, the blockade, and a deficit of 40 million quintals of fodder, prohibited the rearing of more than 200,000 head of cattle; as it was impossible to continue stall feeding until the pastures were able to maintain the full head of beasts, very many animals that should never have been turned into meat had to be slaughtered.

The confusion of the public powers was displayed by the decision to suspend all minor restrictions on the movement of potatoes and seed, and to abandon all the penalties that had been laid down for farmers who had 'omitted' to declare their stocks (National broadcast, April 29, 1941).

On April 10, 1941, the food situation in Paris was as follows. In spite of the reduction in the meat ration, actually consumers were unable to draw more than half what their coupons entitled them to. Bread was becoming blacker and blacker as a result of the increase in the percentage of extraction to 85, raising the proportion of bran. Arrivals of sea-fish were very inadequate on account of the lack of fuel for the fishing-boats. The price of eggs in the provinces prevented their being sent to Paris, where they were subject to rigid price-fixing, and they were only to be procured on the 'black market.' The anticipated arrivals of vegetables from Northern Africa were very short (*Le Temps*, April 18, 1941).

The one improvement was with regard to the prospect of supplying the people with tinned fish during the winter of 1941-42. The 1940 production actually exceeded that for 1939 by nearly 4 million kilogrammes (Radio-Paris, May 17, 1941). We should note in this matter that the control of the canning of fish and shellfish exercised by the Scientific and Technical Office of Sea Fisheries was strengthened (Decree of December 18, 1940), and an official list was drawn up of fish and shellfish suitable for canning (*Arrêt* of January 21, 1941).

In reality France could hope for any serious improvement only through American assistance. This was stated by Marshal Pétain on March 19, 1941, at Grenoble:

My work and my Government's labours are not always exempt from criticism. The innumerable letters that reach me every day often show uneasiness and disappointment. In particular they contain

complaints against the fixing of prices, the inadequacy of supplies, the exhaustion of stocks. I need not tell you that these matters are the object of our constant attention and that we count greatly on American assistance to improve our supplies.

It may then be imagined with what satisfaction Henri Haye, the Ambassador of France at Washington, was able to announce on May 9 that the American Government had agreed to permit the monthly dispatch of two wheat ships for the unoccupied zone (Reuter). We know the sequel, and the Darlan agreement that overthrew all the Marshal's hopes, and then the entry of the United States into the war.

An official statement subsequently announced an increasingly severe rationing of meat, as a result of the late springing of the grass needed for the cattle, but indicated that allocations of potatoes, which had been suspended since the beginning of May in order to preserve the necessary seed, were about to be resumed, thanks to imports from Germany (Radio-Paris, May 25, 1941). Similarly the speeding up of the transport of wheat from the occupied zone to the free zone made it possible to do away with the supplementary rationing in force for the previous three months, and it was hoped to maintain the normal rations in July and August by the help of imports from North Africa if the harvest and the threshing were not backward (Radio-Paris, May 30, 1941).

The Government hopes to be able in the winter of 1941-42 to provide the Paris population with sufficient coal for adequate heating (Radio-Paris, June 2, 1941): from 400 to 500 kilogrammes for every five persons for the period November 1 to March 31 (*Le Journal*, August 25, 1941).

An arrêté published on June 26, 1941, enacted that manufacturers of salt provisions could not receive in any month a quantity of meat more than 30 per cent. of the quantity they handled during the corresponding month of 1938.

To provide in part against the insufficiency of supplies, the Government were obliged to give all French subjects permission to import parcels of soap and rationed goods up to ten kilogrammes, provided that these parcels were sent gratuitously. Travellers entering France may import 26 kilogrammes of household stores (Law published June 25, 1941).

As the position became more and more serious, the Marshal wished to take some very conspicuous step that might soothe public opinion. On July 18, 1941, he dismissed Achard, his Minister for Supply, and made the following comment on this action in his speech on August 12:

I have already imposed penalties and struck a blow against a whole system in the person of an individual—the system of those national

offices of allocation which gave the wholesalers an exclusive and usurious control over the whole supply system at the expense of the producer and the consumer.

Not long after this the following statistics were published dealing with the decrease in French live stock (*Paris-Soir*, September 6, 1941):

STOCK	NUMBERS IN THOUSANDS	
	1918	1941
Cattle	16,000	14,000
Sheep	9,700	8,700
Pigs	6,700	4,000
Horses	2,600	2,000

Arrivals in the Paris market of La Vilette:

STOCK	AUGUST 1938	JULY 1941	AUGUST 1941
Heavy cattle . . .	32,214	17,623	10,347
Calves	25,421	14,782	11,396
Sheep	74,331	34,001	20,743
Pigs	10,026	3,001	3,835

4. THE PRESENT POSITION

What is the position at the present time?

Restrictions are becoming tighter from day to day.

The number of calories contained in the foods covered by the ration cards amounted in November 1940 to 1307; we can see how it has decreased progressively.

In January 1941 the rations gave 1276 calories.

," March	"	"	"	1181	"
," May	"	"	"	1156	"
," June	"	"	"	1134	"

Actually it is impossible to obtain the nominal rations set forth on the cards, and it should be remembered that the minimum number of calories necessary for existence is 2400.

Again, assuming the possibility of obtaining the rations in full, which represent an expenditure of about 5 francs a day, the calories needed to make up the essential 2400 represents a minimum of 25 to 35 francs in unrationed produce. Hence the total cost for a family including one child comes to about 100 francs a day, a sum that is far above the average daily wage.

The increase in the death rate essentially due to insufficient nourishment was still 21 per cent. in Paris in May 1941, after having exceeded 49 per cent. in January.

5. THE 'BLACK MARKET'

The abundance of money tokens, the result of inflation, means that the number of potential consumers able to spend money to buy prohibited goods, or goods under prohibited conditions, is greater in France than anywhere else. Furthermore, France is one of the European countries in which rationing and price control are most severe, and its inhabitants are beyond any manner of doubt the most undisciplined in the world. It is the combination of these various circumstances that enabled the 'black market' to assume such vast proportions.

The 'black market' consists of the volume of illegal trafficking to which the buying and selling of controlled commodities lend themselves. The label also covers operations that have always been illegal, such as the forging of documents, and operations that normally had always been regarded as orthodox, such as buying direct from the producer. As the number of products or goods the sale of which is controlled increases from day to day, the number of frauds increases in proportion.

It appears that the only commodities whose purchase or sale is still practically unrestricted are jewels and furs, which accounts for the rampant speculation in them. As an illustration of this, we may remember that the jewels of the actress Jane Harding, when they were sold after her death, fetched more than 33 million francs (*Le Temps*, March 15, 1941).

For a long time the need for investing cash in something 'solid' turned people towards motor-cars and shares. They bought at any figure second-hand cars destined to lie in the garage for want of petrol, but to-day the purchase of a car requires a permit. Dealings in shares have been made more difficult by the necessity of registration in the purchaser's name, and by the establishment of a crushing tax on increment values.

But actually it is chiefly goods of prime necessity, such as food, coal, and clothing, on which the 'black market' has flourished. We cannot pretend to make a survey of all the various traffics of

the 'black market': they are far too many and too various. The columns of the Paris and Vichy newspapers are filled every day with paragraphs about the arrest or condemnation of swindlers, the seizure of stocks, the multiplication of ways and means of repression.

One of the most extensive branches of these illegal dealings is the resale of coupons, tickets, or vouchers that enable the holder to buy extra quantities of rationed commodities. At first these sales were principally made by holders of cards who saved their coupons or who were hard put to it for money, or by wives of prisoners who found themselves in improper possession of cards made out in their husbands' names. But gradually there have sprung up gangs of forgers who are printing and issuing counterfeit tickets. New cards less easily imitated are to be distributed in the near future. In the meantime a law of September 7, 1941, establishes the penalty of transportation with hard labour for life for forging food cards.

Above all it is the bread tickets that form the subject of this traffic. The members of a single gang had issued cards covering a million and a half kilogrammes (Radio-Paris, June 4, 1941). This is easily explained, as the bread tickets permit the purchase of flour, pastry, and biscuits, as well as bread in the strict sense.

Alongside the illicit sale of cards or tickets there goes on the unauthorized sale on a large scale of rationed products either by producers, or by shopkeepers, or by middlemen, of whom there is a regular swarm. This sale is effected at prices very much higher than the official controlled prices. As for goods that are not rationed but controlled in price, it is becoming almost impossible to find them in the recognized markets; all the selling takes place in the 'black market' at much higher rates.

And lastly, around this great swindle revolve all the little swindles, by which the shopkeepers diminish the quantity without decreasing the price, or make the sale of price-controlled goods conditional on the simultaneous sale of other goods, and so on.

At the present moment nine out of ten French people are cheating or trying to cheat, either as sellers or as buyers.

And the peasantry itself, that pillar of the Vichy social order, is contributing largely to the growth of the 'black market.' And this for reasons springing from the inadequate official prices, and also, it must be admitted, to avoid the vexations and red tape with which the Vichy régime smothers them. Look at the editorial article in *Le Temps* of April 27, 1941:

Regulations and controls bring about the same consequences when they are excessive or clumsy. The peasants understand very well that in the present circumstances all crops and all stocks must

be declared, or again that the sale of any particular item of produce must be effected through a particular organization. They are ready to conform to all the regulations the country's interests call for. But because they are imposed on them they want these regulations to be the same for everybody, applied equitably and sensibly, firmly but not vexatiously. Care should be taken not to drown them in a flood of forms, not to make them traps hither and thither all for nothing, not to speak of the loss of time and productive work involved. When a farmer has spent his day on the roads between his farm and the village because of a blue or yellow form improperly filled up, how could he be anything but embittered against the Government, and what heart has he to turn to his tools again? If everything he produces and sells was the object of an over fussy and over suspicious control, if he was given the impression that every time he moves he runs the risk of breaking some regulation that he can hardly understand, would he not be tempted to take refuge in the 'black market,' or to hide his produce with the utmost cunning?

II. The Cost of Living

We shall not return to the theoretical problem of currency, which we have already set forth (see Part II, Section VI). We shall here only trace the manifestations of inflation.

In his message of October 11, 1940, Marshal Pétain declared that the new monetary system of France, based on the twofold control of exchanges abroad and of consumption and prices at home, would ensure "stability of prices and wages." The purchasing power of money was to be maintained intact on the bases of the prices current on September 1, 1939.

What is the position in France to-day?

For a certain time the principle seemed to be able to operate—as long as France could live on her stocks. Yet this was already a fiction, for only the official prices remained stable, while the effective prices, the prices in the 'black market,' began to rise.

Then everything came to pieces.

Why? Because the Government was forced to realize that the stocks, the stocks that were stowed away in every farm house, were not coming forward, and that the farmers preferred not to produce anything rather than to produce at prices they considered insufficient as a return for their labour. Under the threat of famine, and because its own tendencies impelled it to favour the peasants as a class, the Government was obliged to grant the producers substantially increased prices for foodstuffs.

From that moment the game was lost. The rise in prices forced the Marshal to grant a general increase in wages. This increase in the cost of living must of itself entail an increase in

public expenditure, and consequently inflation will result. Vichy is henceforth caught up in the vicious spiral.

I. THE RISE IN PRICES

In an article of May 26, 1941 (*France*, "French Economy"), the author says that "the well-known phenomena that go with internal depreciation of the currency unit, that is to say the unrestrained rise of prices, have not been produced," and from this he infers the effectiveness of the measures adopted. This agrees with the statements of the *Pariser Zeitung* (April 16, 1941), according to which the price levels had risen to only 118 in May 1940 and 125 in November 1940, taking those of September 1, 1939, at 100. But this is not in accordance with the actual facts.

And first of all we must refrain from imagining that the officially controlled prices have any real validity; they mean no more than the official rates of exchange. Any one who tries to dispose of French francs abroad will not find a buyer unless he is willing to accept a third or a quarter of the official rate.

It is just the same with internal prices. Official prices are the prices at which consumers can theoretically procure goods, but to make these prices a reality it would also be essential that the goods should be procurable. Now in actual practice it is possible to buy at official prices only rationed goods to the limited maximum quantity obtainable on the cards. For unrationed goods consumers have to submit to the demands of the sellers, and *a fortiori* the same holds good with regard to goods they may try to buy in excess of their rations. Thus there are on the one hand official rates of limited application, and on the other real prices that are very much higher.

Official prices are themselves substantially increased. Why is this?

With regard to industrial products the reason is very simple. Prices are fixed on the proposals of the Organizing Committees or the allocating authorities, that is to say, of the people directly interested. Their altruism in the cause of the 'National Revolution' does not go so far as to make them forget their own interests; the absence of foreign competition furthermore allows them to indulge in any sort of fancy.

With regard to agricultural produce a number of considerations come into play. The most important of these is the passion for gain that has always characterized the peasant. The farmer, who keeps no regular accounts and who usually works with no other helpers than the members of his family, can easily hide part of his produce and hoard it away. He would rather lose his stocks

altogether than sell them too cheap, and in any case he always has the hope that the longer he waits the better prices he will get. And no means of coercion, however powerful, is capable of overcoming this.

In a leading article on April 27, 1941, *Le Temps* declared as follows:

Prices, those regulators of production, react upon the farmer much less rapidly than on industry. Yet when they are fixed by the authorities instead of depending on the impersonal laws of the open market, the peasants become more sensitive to their effects. Price control, resulting from decisions by human persons, touches their sense of what is fair and unfair. If it does not give them a reasonable return, since it does not leave them the hope of the natural balancing up between good years and bad years, they are inclined to cease to produce more than they need for their own subsistence. The effect of this slackening of effort is only felt in the long run, since the system of production is governed by the seasons; but the immediate consequence is fraud.

Furthermore, and this is the second consideration that comes into play, the rise in prices of agricultural produce is in harmony with the Government's policy of the return to the land. The reclaiming of derelict land, and the development of production, call for an adequate return on the capital and the labour involved. A precise expression of this policy is found in a semi-official statement which we give in full:

The Minister of Agriculture has just brought into operation a dairy policy destined both to stimulate the production of butter, in view of the need for supplies, and to ensure a proper return to dairy farmers, and stability of prices for the future. This threefold objective is to be achieved by a substantial increase in the price of rationed butter, which is raised to 36 francs a kilogramme, and maintained at this figure until September 15. Consumers will find a compensation for this enhanced price in lower prices for whey and skim-milk cheeses sold without restriction (*Le Temps*, April 18, 1941).

Finally, with regard to farm produce as a whole, the fact that everything has to be done through middlemen—direct sale from producer to consumer being prohibited—entails an automatic rise in prices.

It should further be noted that the policy of collaboration must also work in the direction of a continual increase of prices. The subordination of the French economic system to the German in fact assumes a levelling between French and German prices. Now in June 1941, except for potatoes, French prices were still very

much lower than German prices. This is clear from the table hereunder (in which 20 francs is the equivalent of 1 Reichsmark).

	GERMANY (in francs)	FRANCE (in francs)
Wheat (per 100 kilos)	432	220
Barley " " " "	356	167
Rye " " " "	400	178
Milk (per 100 litres)	382	211
Butter (per kilo)	61	35
Pork " " " "	29.20	22.60
Cement (per ton)	2090	2600
Cast iron " " " "	1500	1065
Aluminium " " " "	2600	2260
Coke " " " "	380	259

To meet this lack of balance certain of the Franco-German agreements provide for the equalizing of prices. As for example in the case of iron products (*Figaro*, August 28, 1941). But such agreement can do no more than check for the moment an inescapable rise in price.

We cannot present a table of official price increases. It must, however, be taken that for most items they run at the present moment at between 60 per cent. and 90 per cent. above the prices current on September 1, 1939 (particularly for textiles and charcuterie).

The prices paid to producers on May 21, 1941, for the principal vegetables were as follows, for every hundred kilogrammes:

Spinach,	350 francs.
Turnips,	400 "
Artichokes, onions, salads,	500 "
Carrots, green peas,	600 "
Sugar-peas (<i>pois mange-tout</i>),	1000 "

On September 8 the price of potatoes paid to producers varied between 140 and 175 francs (*Paris-Soir*, September 8, 1941).

Retail prices (Radio-Paris, May 7 and 12, 1941) came out at:

French beans,	25 francs a kilo.
Asparagus,	28 " "
Carrots,	16 " "
Tomatoes,	66 " "
Chickens,	200 " each.

The price of eggs on August 1, 1941, was from 14·40 to 16·80 francs a dozen (*Le Jour-Echo*, Paris, August 6, 1941).

For the producer the authorized increase already at the end of the first quarter of 1941 amounted to from 20 to 41 per cent. for chocolate (*Journal Officiel*, March 22, 1941), and for tinned mixed vegetables 40 to 52 per cent. (*ibid.*, March 23, 1941). Again, the wholesale purchase price of tea was increased by from 39 to 58·85 per cent. on July 22, and of biscuits by 28 per cent. on July 29.

With reference to industrial products, we will take items at random from the *Journal Officiel*; they are prices paid to the producer and show rises as noted:

Laundry, dyeing, finishing,	15 to 35 per cent. (April 1).
Metal agricultural implements,	25 per cent. (April 14).
Smoke-black,	53·5 " "
Office equipment,	27 to 34 per cent. (April 14).
Corks,	22 per cent.
Typewriter ribbons,	98 " (July 15).
Glazed cloths and papers,	30 to 53 per cent. (July 15).
Metal brushes,	26 per cent. "
Wallpapers,	50 " (July 22).
Spring mattresses with wooden frames,	60 " "
Grindstones,	35 to 50 per cent. (July 22).
Wooden boxes,	48 to 73 " "
Wickerwork,	27 to 37 " "
Photographic products,	28 to 33 " "
Materials for hat-making,	29 to 157 " (July 25).
Bookbinding,	27 to 34 " (July 29).
Motor accessories,	35 per cent. "
Indiarubber goods,	68 to 135 per cent. "
Tinned household ware,	24 per cent. (August 19).
Writing-paper and envelopes,	85 to 100 per cent. (September 9).
Gummed paper,	55 to 142 " "
Electric wire and cables,	53 per cent. "
Chimes for clocks,	41 to 44 per cent. "
Undressed whisk,	73 per cent. (September 16).
Articles made of malleable cast iron,	25 " "
Maps,	30 " "
Celluloid articles,	29 " (September 23).
Articles made of galalith or rhodoid,	14 to 15·5 per cent. "
Tennis-racquet strings,	64 to 73 " "
Metal buttons,	35 per cent. "

The price of firewood was increased by 15 per cent. (March 27), that of musical instruments by 25 to 45 per cent. (July 29). Death

itself pays toll: funeral materials have gone up 28 per cent. (July 15). Orders have also been made covering the most unexpected articles such as toothpicks, which are up 50 per cent., and drinking-straws, up 57 per cent.

The carrying charges on the French railway system and the rates for parcel post have been increased by 40 per cent. (Decree published on August 3, 1941).

In December 1941 a horse cost 80,000 francs.

It should be noted that in order to avoid a rise in prices the Government sometimes takes upon itself part of the costs of production. Thus to alleviate the increase in the prices of fish it was decided that the Ministry of Marine should provide for the difference between the old price of fuel oil, 2000 francs a ton, and the new price of 6350 francs (Announcement by Radio-Paris, August 10, 1941).

But in all this we can only look for fragmentary information. We cannot depart from our regular method of proceeding, which has been only to make use of official documents emanating from the Vichy Government and matter the publication of which has been authorized in France. Now it is obvious that in such a connexion the Vichy literature is necessarily far from copious. The few positive items of information that can be got from it are all the more precious.

The truth is that the costs of living, which are the costs of the 'black market' since now there is nothing to be found in the official markets, are beating all records in soaring.

It is naturally impossible to ascertain the prices in operation outside the official markets. The English and neutral newspapers often give items of information on this point which our readers can refer to.

For information we may quote one or two prices indicated by the Vichy Press: chocolate 125 francs a kilogramme, soap 38 francs a kilo, butter 110 francs a kilo, woollen cloth 350 francs a metre, rayon 182 francs a metre (*Le Journal*, August 16, 1941). We give also a few prices communicated to us in December 1941 from an especially trustworthy source: a fowl cost 250 francs, a ham 2000 francs, a litre of *vin ordinaire* 25 francs, a lounge suit 2000 to 2500 francs, a pair of shoes 500 francs.

We shall not go further into details in this matter.

From our examination of the subject our readers need remember only the fact that the policy of price-stabilization has already definitely failed in France. The universal price-rise must manifest itself with a more and more accelerated rhythm.

2. INCREASE IN WAGES

While items of information in this respect are few, it does not appear that the rise in wages has so far fully kept pace with the rise in prices. This must be attributed to the persistence of unemployment, which drives workpeople and clerks to content themselves with what they are offered, and to the disappearance of all trade-union activity.

We must have no illusion, however, as to the possibility of a revision of wages in the near future. Already the *arrêtés* of February 17, 1941, had made adjustments of pay in the mercantile marine of more than 15 per cent. in some cases. But the forecast of more general measures is found in a Vichy Government announcement broadcast by Radio-Paris on May 26, 1941. This announcement proclaimed an increase of 3 to 10 per cent. in the '*prime d'assiduité*' paid to miners (coal miners), and added: "This increase is independent of any subsequent increase of wages, and will accordingly not give rise to any deduction from such increases as may be granted in the future."

On May 28, from Radio-Paris, Roland Tessier confirmed that wages were about to be readjusted. The increase was to be not less than 25 or 30 per cent., provided there was no fresh rise in prices.

On May 29 the Secretary of State for Finance announced (Radio-Paris) that all clearly inadequate wages were to be readjusted by the prefects, with the assistance of Inspectors from the Ministry of Labour; these increases, which would also apply in the case of officials, would vary between 125 and 200 francs a month. On the same day wages in the building industry were raised by 13 per cent. (French broadcast from Radio-Brussels, May 31, 1941).

A broadcast from Radio-Lyon on May 30 showed that the Council of Ministers had examined the question of wages. The Minister of Finance declared that in spite of very strict control it had been impossible to avoid a rise in the cost of living due to the shortage of foodstuffs. Readjustments would therefore be taken in hand, but any fresh rise in the cost of living would have to be checked, otherwise the new rates would become inadequate once more. Hence it was desirable to intensify agricultural production.

A law of May 23, 1941, published in the *Journal Officiel* of June 12, translated the decision of the Council of Ministers into set terms. A readjustment of the wages of all workers subject to Government insurance was made a charge on employers under the form of a "supplementary allowance." The monthly allowance varies from 86 francs (for localities with fewer than 5000 inhabitants) to 200 francs (in Paris), but the resulting increase in wages must not

exceed 20 per cent. A second law published on the same day gives officials similar benefits.

On June 26 an *arrêté* empowered the prefects to raise wages that were abnormally low.

On July 26 another *arrêté* granted supplementary allowances to the seamen of the mercantile and fishing fleets.

Law No. 3202 of August 1941 laid down a new method of assessing minimum wage rates for home workers of both sexes.

In December 1941, nevertheless, there is talk of nothing but a new rise in wages.

III. The Divorce between the Marshal and Public Opinion

When we sum up the situation after eighteen months of the principate of Marshal Pétain, the most serious fact that emerges as far as the *régime* is concerned, is the alienation of the people of France from the Chief of the State.

During many months, in spite of everything and in spite of all their misfortunes, the French placed unlimited trust in Pétain. Everywhere he went he was received with wild enthusiasm. No one, even among the bitterest enemies of the *régime*, could say a word against the Marshal himself. At one moment when his popularity seemed to weaken, in December 1940, the dismissal of Laval restored it to all its former vigour. Then once again, when there seemed to be a falling off, the unhappy but wholly necessary affair of Syria, exploited by a most astute propaganda, recreated the patriotic unity of the French behind the Marshal.

It is the almost complete surrender of Indo-China to Japan, then the entry of Russia into the war, and finally the ranging of the United States by the side of the Allies, that have definitely established the divorce between the Chief of the State and public opinion. At the moment when the public felt the German side was this time seriously jeopardized, they were indignant to see Admiral Darlan more and more openly following a policy of surrender and collaboration. They very definitely felt that their leaders meant to give Germany more and more active help and succour. And then they truly realized that the cause of the Vichy Government was no longer that of France, but that of Nazi Germany. By covering Darlan's policy with the ægis of his authority the Marshal has lost that authority.

Since that day of August 12, 1941, when the Marshal admitted Darlan's unpopularity, but declared that he gave him his renewed confidence, and invested him with new additional powers, he has finally lost the game.

How he must to-day regret those few sentences:

Authority no longer comes from below; it is, properly speaking, that which I entrust or delegate. I delegate it in the first place to Admiral Darlan, towards whom public opinion has shown itself neither always favourable nor always fair, but who has never ceased to assist me with his loyalty and his courage. . . .

But this message of August 12, from which we have already had occasion to quote a number of excerpts, is the most terrifying admission the head of a Government has ever allowed himself to make of the hostility of the Nation towards his policy. We shall bring this work to an end with some new extracts from this message, and with a recapitulation of what followed immediately after it was uttered.

THE MESSAGE OF AUGUST 12, 1941

Frenchmen! I have serious things to say to you. From many regions of France for some weeks past I have felt an ill wind blowing. Uneasiness is creeping over men's minds, doubt is taking possession of their souls; *the authority of my Government is disputed*; orders are often badly carried out. In an atmosphere of false rumours and intrigues *the forces of recovery are losing heart*. Other forces are seeking to usurp their place, forces that have neither their nobility nor their unselfishness. My patronage is too often appealed to, even against the Government, to bolster up pretended enterprises of public welfare which are in fact nothing but appeals to indiscipline. *A veritable unrest has taken hold of the French people*. The reasons of this unrest are easy to understand. Hours of bitter experience are always followed by difficult times.

When on the frontiers of a nation that has been rendered incapable of fighting by defeat, but which remains vulnerable through its Empire, war still goes on, every day ravaging new continents, every man asks himself in deadly anxiety what his country's future is to be. Some feel themselves betrayed; others imagine themselves abandoned; some ask themselves where their duty lies. Others seek first and foremost their own interests. The London Radio and certain French newspapers add to this confusion of mind. The sense of the national interest ends by losing its correctness and its strength. From this disorder of ideas material disorder takes birth. Is that really the fate France has deserved after thirteen months of calm, of hard work, of undeniable recovery?

Our internal difficulties are due above all to the confusion in people's minds, the lack of men, and the scarcity of goods.

The confusion in people's minds is not caused by the vicissitudes of our foreign relations alone. It comes above all from our slowness to build up a new order, or more correctly, to impose it. *The National Revolution*, the broad outlines of which I traced in my message

of October 11, is not yet brought into the realm of reality. It has not attained this because between the people and myself, who understand one another so well, there has been erected the double screen of the supporters of the old régime and the minions of the Trusts. . . . A long time will be needed to overcome the resistance of all these opponents of the new order. But we must from this moment break down their efforts by decimating their leaders.

If France failed to realize that she is condemned by force of circumstances to change her régime, she would see opening at her feet the abyss into which the Spain of 1936 so nearly plunged to annihilation, and from which she was rescued only by faith, by youth, by sacrifice.

And yet, in spite of all these difficulties, our country's future is shaping itself with a precision that becomes surer day by day. . . . Our most recent reforms are subject to methodical revision the broad lines of which will emerge more clearly when the legislative texts have been simplified and codified.

But it is not enough to legislate and to build, it is necessary to govern. It is both a necessity and the desire of the whole people. . . .

France can only be governed with the consent of public opinion, a consent that is all the more necessary in an authoritarian régime. That public opinion is to-day divided. France can only be governed if the exactness and fidelity of the transmitting instruments correspond to the impetus given by the leader. This exactness and this fidelity are still wanting. Yet France cannot wait.

To the Government around me I shall leave the necessary powers of initiative. At the same time it is my intention to lay down a very clear line in certain spheres, and here is what I have decided:

1. The activities of political parties and all groups of political origin are suspended. . . .
2. Salaries of Members of Parliament are abolished. . . .
3. *The first disciplinary measures against officials guilty of false declarations with regard to secret societies have been taken. . . .*
4. In the free zone the Legion remains the best instrument of the National Revolution, but it will only be able usefully to fulfil its civic task by remaining subordinate to the Government in all its grades.
5. *I will double the means of action at the disposal of the police. . . .*
6. A body of *commissaires du pouvoir* is created. Their duty will be to discover and overcome all obstacles to the work of national recovery that may be due to administrative routine or to the action of secret societies.
7. The Charter of Labour . . . will be promulgated without delay.

8. The temporary constitution of our economic organization will be recast. . . .
9. The powers, the function, and the organization of the national councils for supply will be modified. . . .
10. I have decided to make use of the powers conferred on me by Constitutional Act No. 7 to judge those who are responsible for our disaster. . . .
11. In accordance with the same Constitutional Act all Ministers and high officials will be called upon to take an oath of fidelity to me. . . .

. . . In 1917 I put an end to the mutinies. In 1940 I put an end to the rout. *To-day I mean to save you from yourselves.*

The Rising Tide of Revolt

We know the events that have taken place with an accelerated tempo since the message of August 12.

A few days after that message there was the attempt by Colette to shoot Pierre Laval and Déat, the assassination of Gitton, the murder of a number of German officers and non-commissioned officers. And at the same time numbers of factories working for Germany were burned, and sabotage of transport became almost methodically organized.

President Edouard Herriot published in an American newspaper an article in which he expressed his friendly feelings for England and the United States. The Council of State, taking up the traditional rôle of the old Parlements of France, addressed 'remonstrances' to the Government on the illegality of certain of its enactments.

The very Committee of the Consultative Assembly appointed to examine the new Constitution pronounced against the suppression of the 'Republic' and the establishment of a dictatorship.

In fact to-day France is in a state of masked revolt. The occupation authorities and the Vichy Government in vain multiply police measures of repression. A "Council of Political Justice" is preparing for the condemnation of certain enemies of the Government who are now under trial, while a "*Tribunal d'État*" and the special divisions of the Appeal Courts or Military Courts are pronouncing other sentences behind closed doors. Executions follow one another without respite; hostages answer with their lives for the rebellion of their fellow-citizens.

The Vichy Government no longer represents France.

The whole of France is behind de Gaulle.

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